

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

Wednesday, February 2, 2005
10:00 a.m. - 4:00 p.m.
State Office Tower, 6th 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, John Ray, Darrell Stokes, Ann Sturgis

Members Absent: Don Thornburg, Jim Coon, Lawrence Aki

OP Staff: Christopher Chung, Christina Meller, Debra Tom, Ann Ogata-Deal, Dawn Omoto

Others present: Chris Woolaway, UH Sea Grant, Heidi Guth, Office of Hawaiian Affairs, John Chang, Department of the Attorney General, Jason Broderson, Tetra Tech, Mohala Aiu, Representative Cindy Evans Office, Leonard Young, Aquaculture Development Program

DISTRIBUTED MATERIAL

- Meeting Agenda
- December 8, 2004 Meeting Minutes
- CZM Hawaii Program Report
- Executive Order Establishing HOCC
- The "Ho'okuleana" Program - DLNR
- Mauka-Makai Watch
- 2 brochures titled, "Mauka" and "Makai"
- Hawaii Ocean and Coastal Council
- Marine Protected Area
- BLNR - Coastal Policy

Call to Order

Chair Susan Sakai called the meeting to order at 10:10 a.m. MACZAC members, staff, and members of the public introduced themselves.

Announcements: John Ray announced this is his last meeting as a MACZAC member. He is resigning in order to devote more time as a board member of Parker Ranch.

Approval of December 8, 2005 Meeting Minutes

On page 8 of the minutes, under MACZAC Members' Terms, third line delete "to" and replace with "so".

Minutes were accepted as amended.

Budget

Christina Meller informed MACZAC of an additional \$25,000 for the upcoming fiscal year and MACZAC should decide what to do with the funds. Discussion on the additional funds included adding funds to the proposed contract with Kem Lowrey, using the funds for cultural research work, or additional shoreline work. CZM can provide the boiler plate language for a State contract, but the contract scope of work should be developed by MACZAC.

Arnold questioned if we need a project from the Cultural Resources Working Group this year and can we defer till later. The general discussion in Hilo was on DLNR conservation lands that lacked a cultural survey and no protocol for protecting the native resources. The working group would have a problem contracting a survey because we have no right of entry, unlike DOH which by statute has a right of entry to DLNR and UH lands.

MACZAC may not need survey work but probably policy work. Policy wise, in terms of cultural, we may want an assessment of whether or not there are unprotected burials, such as the specific example brought to our attention. The University and DLNR have no funds set aside to survey and protect the burial sites.

Arnold is willing to draft a Resolution to the Legislature. A Resolution would focus the attention on cultural resources for consideration by the Legislature and the public. This is a small step which is in line with our policy idea and may lay the foundation for further action. Arnold will draft a Resolution and Ron Terry will assist.

Last year's \$25,000 for Kem's contract has to be reprogrammed before we issue the contract. It was suggested that the additional funding for the upcoming fiscal year be given as part of an open-ended contract with Kem since the contract process takes so long. Unlike the Federal government, the State can't do an open ended contract.

Sue Sakai was asked by someone if there are traditional ways of managing shoreline uses. In the Native Hawaiian Rights Handbook, there is an entire chapter on kohanaiki rights that may have been done by Cathy Chung-Hoon, an administrative hearing officer. In 1935, kohanaiki rights, unless private, were superceded by the Territory statutes. In practical management, it is the concept of the communities. We are dealing with fishponds that predate existing Federal

and State permits and how do we expedite these permits to restore the fishponds. There may be some other traditional uses within the shoreline setback that the community would like to restore.

Ron Terry discussed a bill that he had Senator Russell Kokubun introduce. S.B. 1893 eliminates the need for a conservation district use permit and environmental assessment by landowners and non-profit groups that manage or own conservation land when removing invasive alien trees. A conservation use permit and an environmental assessment cost between \$8000 and \$30,000. The permit and assessment are triggered anytime you want to cut ten trees greater than 5 inches in diameter at their base. Ron worked with clients wanting to remove alien species such as ironwoods, michonia, etc., on conservation land. The clients were stymied by the permit and assessment process. A few clients go through the process but most just give up. S.B. 1893 should be looked at and testified either for or against. Ron wrote the basic bill but ran into some problems on the legal standpoint which Senator Kokubun's office fixed. The bill has a lot of co-sponsors and a companion bill in the House which passed the first reading.

A landowner can go to DLNR with a site plan for their property. A site plan may eliminate the need for an environmental assessment and reduce the cost to about \$1,000. DLNR has the right to enter the property to determine if the environment is too sensitive, or a cultural resource such as a heiau lies on the site.

CZM Hawaii Program Report

Ocean and Coastal Resources Management: a Section 309 Enhancement Area

A Governor's Directive postponed the December 2004, *Hawaii Summit-to-Sea (Mauka/Makai)* Conference. It has been tentatively rescheduled to October 2005, based on a meeting between Peter Young, Rick Manayan, Lenny Klompus and Linda Smith. However, the conference would be expanded to a 500+ national and regional venue, rather than just a local venue.

As of January 7, 2005 DLNR, through the Governor's Office, did a press release announcing the establishment of a Hawaii Ocean & Coastal Council (HOCC) and the holding of an Ocean Summit in October 2005. It was indicated that HOCC would be setting the agenda for the Conference.

The CZM Hawaii Program met with DBEDT to discuss issues and concerns regarding the scheduling of the Conference in October 2005. Issues include (1) insufficient time to plan and promote the event; (2) no events planning contractor on-board; (3) direction of HOCC with respect to the conference agenda, themes, etc.; (4) physical and dollar resources; and (5) partner commitment and confidence.

MACZAC discussion indicated HOCC members are mainly government employees, except for the MACZAC Chair. HOCC seems like the old MACZMAG. The difference is HOCC has a Federal representative sitting at the table whereas in MACZMAG federal officials could attend but not vote. Sue Sakai, MACZAC Chair, attended the signing of the Governor's HOCC Executive Order in January.

In 2003, MACZAC directed CZM Hawaii to update the Ocean Resource Management Plan focusing on a local not international venue. The "Summit-to Sea" postponed last year was for a local venue. It appears that HOCC now decides the nature of the "Summit". The question now is will HOCC actually preempt MACZAC with a international venue. MACZAC should talk to Peter Young first. MACZAC is statutorily required while HOCC is an Executive Order that expires at the end of 2006. Members feel that it is a good sign that other agencies are working on projects that MACZAC and CZM Hawaii are developing.

Cumulative and Secondary Impact: a Section 309 Enhancement Area

The Waianae Ecological Characterization (WEC) - The information gathering and writing of the various sections of the WEC is completed. All sections (Mauka, Makai, Mo'olelo, Ka po'e, Ke A'o Ulu (Climate and Weather), Spatial Component & Tutorials, and N-SPECT were submitted to NOAA-Coastal Services Center (CSC) at the end of September 2004 and have been formatted into a CD-ROM. Delivery of the final product (2,500 CDs) by CSC to CZM Hawaii will be at the end of January 2005. CZM Hawaii is currently soliciting an events planner to assist in the creation of a CD-ROM Release Event for the Waianae Community as a means to distribute the free product and to promote awareness of ahupua'a/watershed activities happening in the Waianae Moku. Tentatively, this event is being scheduled for April/May 2005 depending on the contracting process.

Waianae Moku Watershed Management Strategy – Work on the Waianae Moku Watershed Strategy has commenced. The contracted project team will consist of Tetra Tech Inc. and Mapping Change. CZM Hawaii will also be an integral member of this team as well. This project will also be closely coordinated with the C&C Board of Water Supply (BWS) who has selected Townscape, Inc. as their consultant to develop a watershed plan for Waianae. Using information gathered by the WEC project, the Moku Watershed Strategy will identify actions to be taken, and resource opportunities. In addition, the strategy will also promote community-based, moku resources management. A meeting has already taken place with BWS to coordinate both efforts to eliminate duplication and to avoid confusion within the community.

Coastal Hazards

CZM Hawaii has successfully achieved its Section 309 5-year Enhancement Strategy goals/objectives including assisting Hawaii and Kauai Counties successfully develop risk &

vulnerability assessments and multi-hazard mitigation plans. These mitigation plans have become critical components of the State Civil Defense's Statewide Hazard Mitigation Plan.

Presently, CZM Hawaii is working closely with State and County Civil Defense partners to implement recommendations of the Statewide Hazard Mitigation Plan. These include:

1. Climatic Atlas – develop an atlas of tropical cyclone activity over the Central North Pacific from 1966-2003 for forecast, planning and decision making by the Weather Services and Civil Defense agencies.
2. Earthquake – updates to customization of HAZUS 99 and assessment of the applicability of HAZUS MH for earthquake events in the State of Hawaii for civil defense planning.
3. Hurricane – evaluation study of HAZUS MH loss estimates using Hurricane Iniki database for civil defense planning.

Integrated Ocean Observing System (IOOS)/Pacific Global Ocean Observing System (PGOOS)

CZM Hawaii, in collaboration and coordination with the East-West Center, are co-leads in the establishment of a Pacific Region Association (RA) which will take a Pacific Island approach to establish a regional IOOS/PGOOS. Through the RA, priorities will be established with respect to data needs and the types of platforms to collect this respective data. In addition, this initiative will also support the establishment of a Hawaii Environmental Data Management Center which will not only house and distribute collected data, but also develop products for use by Pacific Island Communities. The CZM Hawaii Program Coordinator, Christopher Chung, has submitted a travel request to attend the National Federal of Regional Associations (NFRA) meeting in Washington, D.C. from February 15-18, 2005. This is an important meeting in that it will discuss and ratify necessary elements to establish the NFRA which will be an umbrella organization to promote the development of Regional Associations and the establishment of global and regional IOOS.

Coastal Estuarine and Land Conservation Program (CELCP)

CZM Hawaii is processing necessary approvals to contract with the University of Hawaii Social Science Research Institute to develop a process for nominating coastal lands for acquisition and to receive Federal funding. Scott Derrickson, who is managing this project for CZM Hawaii, recently made a presentation to Kauai's newly established Public Access Commission whose mission is also to protect and preserve coastal lands for public access.

All Islands CZM Program Managers' Meeting, Mid/Late October 2005

The meeting will assess the progress by the Islands with respect to accomplishing several infrastructural action needs that were previously discussed at a May 2004, CZM Program

Strategic Meeting in Honolulu, and the July 2004, All Islands Meeting in Saipan, CNMI. These common and agreed upon needs included resolving staffing capacity issues, strengthening political will, and commitment through strategic outreach and education initiatives, and data needs (IOOS/Pacific Environmental Data Center). The Island CZM managers will also be queried as to other priority and strategic issues that they would like to have discussed in a roundtable setting with invited guests. An events planner is currently contacting the Mauna Lani Hotel on the Island of Hawaii to determine available dates. The All Islands Meeting will probably start on a Sunday in mid to late October. There will be registration and a field trip organized with the County of Hawaii. Monday and Tuesday will be full-day sessions and Wednesday will be half-day training. We usually have about 50 participants. Puerto Rico and the Virgin Islands Program Managers are also invited because they have similar issues.

Sue Sakai suggested having the MACZAC meeting concurrent with the All Islands Meeting. There is interest in coastal issues pertaining to other island nations and advisory councils such as MACZAC.

OCRM Coastal Zone Program Managers' Meeting, Washington, D.C., March 7-11, 2005

Coastal Zone '05 Conference, New Orleans, Louisiana, July 18-22, 2005

It was suggested that two MACZAC members attend the Conference. Sue Sakai, as MACZAC Chair, should attend. The MACZAC budget allocated funds for this travel.

CZM Hawaii Section 312 Program Evaluation

From August 23-27, 2004, the CZM Hawaii Program underwent a Section 312 Program Evaluation. Over the week-long evaluation, the team met with numerous State, County, Federal, and NGO partners that directly benefited or were involved in CZM Program efforts and initiatives. A public meeting was also held on Oahu to solicit general input with regard to the CZM Hawaii Program.

The Evaluation Team also held meetings with CZM Hawaii partners on the islands of Hawaii and Molokai. Following four days of back-to-back meetings, an exit interview was held with the CZM Hawaii Program. The exit interview outlined several accomplishments including:

1. the progress on and community support for the development of the Waianae Ecological Characterization;
2. completion of the Section 309 Coastal Hazards Enhancement Area 5-year action goals;
3. the increased level of outreach and education;
4. completion of the Native Hawaiian Access Project and positive County reception to building in some of the recommendations into the SMA process;

5. ongoing federal consistency;
6. increased program credibility;
7. GIS capacity building;
8. increased collaboration with Federal, State, and County agencies;
9. consideration and integration of traditional and cultural knowledge and practices;
10. ongoing work of MACZAC; and
11. involvement in regional and international coastal management initiatives.

In addition, the exit interview also provided initial findings and recommendations that encouraged the Program's continued efforts with regard to ocean and coastal resources management, monitoring the management of grants and potential impacts, and working diligently towards a fully approved Federal 6217 program. With regard to Program Suggestions and any Necessary Actions, the following were highlighted:

Program Suggestions

1. The need to establish positions for a Watershed Management Coordinator, Outreach Specialist, and Program Compliance Specialist;
2. Continue to expand upon CZM Hawaii's regional leadership role;
3. To continue to collaborate with partners to better define the shoreline and the certification process;
4. Undertake strategic planning for the CZM Hawaii Program;
5. Increase public outreach, information, education, and involvement to increase CZM Hawaii's visibility as required by the national CZMA;
6. Continue to enhance coordination and communication; and
7. Work with the Counties and decision-makers to address the dollar threshold for major and minor SMA permits and introduce legislation as appropriate.

Necessary Action

1. Complete the previous required Section 312 Necessary Action to strengthen SMA compliance.

A Draft Section 312 CZM Program Evaluation Report is anticipated by the end of February 2005. Several MACZAC members were interested in obtaining a copy of the report.

Stories to Pay Tribute to Jerry Rothstein

Members related incidents with Jerry Rothstein over the years in connection with PASH and MACZAC's Shoreline Certification Working Group. MACZAC wondered who should we address a response to Rothstein's correspondence. Are there other PASH members beside Jerry?

Public Forum

Office of Planning, Director and a CZM Planner position were recently advertised to fill.

Working Group Reports

Coastal Parking Access Working Group: - Arnold Lum: On Oahu we developed a critical coastal parking map in response to a specific problem up at Diamond Head. This winter we see 140 to 150 cars parked at Diamond Head every morning.

The next Island for mapping is Maui. Arnold met with Helen Felsing, Planner for National Parks on Maui, Dale Bonar representing Maui Coastal Land Trust, Maui County Police Department and Planning Department representatives. The County of Maui is aware of the problem. A specific example given is that the Maui Coastal Land Trust and the County are entering into negotiations with Maui Land and Pine to provide a public access component to the Honolua Bay area when agriculture phases out and replaced with golf courses. The County Planning Department will work on developing the coastal access parking maps.

Kauai has a Coastal Access Committee. The citizens were not eager to have areas formally identified because they do not want tourists parking at their surf spots.

The Big Island remains the last frontier. For East Hawaii, it is not a critical problem. There is sufficient parking for surfing spots but there is the issue of safety. West Hawaii, especially Kailua-Kona is pretty bad. It might be a good idea to address this issue. This might be a good first task for the new MACZAC member from Kona.

Coastal Erosion Working Group: - Scott Sullivan: Working group meets every two months, and the next meeting is scheduled for Wednesday. Very little has changed since the last meeting. The Hawaii Coastal Hazard Mitigation Guidebook is in printing, and serves as a coastal planning tool to help guide development of undeveloped coastal areas.

DLNR is developing an integrated coastal policy involving multiple State and County agencies. HOCC will be involved in developing the coastal policy since written policy does not exist today. DLNR is also discussing "legacy beaches", prioritizing beaches by developing a method to categorize beaches for levels of permitted uses and better management of natural resources.

State needs concrete policies about what people are permitted to do and how they should go about doing it. The statewide programmatic general permit for beach nourishment is an inclusive permitting process for beach nourishment restoration projects that are less than 10,000 cubic yards. Hopefully, very soon you can begin applying for a one-stop permit process to DLNR who will then coordinate with other State and Federal agencies permits.

An ongoing Sea Grant project involves an erosion management alternative brochure. The brochure outlines different erosion control alternatives and updates past alternatives. Sea Grant continues to work on a real estate guide for shoreline property buyers, including a standard shoreline property disclosure form.

The County of Kauai is developing erosion maps that assist in evaluating shoreline areas. They are considering a shoreline erosion mapping project similar to Maui. Kauai is seeking funds for the project.

Hawaii County is having problems with home sites being developed on coastal cliffs. It was not a problem when it was sugar cane land, but once you start to build residential developments, it becomes difficult to assess potential problems. Ironwoods are probably implicated in some of that cliff erosion. It appears that ironwoods accelerate the rate of erosion of those cliffs, particularly in comparison to the native vegetation.

Maui County is evaluating amendments to their policy on minor structures and setbacks within the SMA area. There are many Spreckelsville issues and they are on-going.

Ocean Resources Management Plan Implementation: - Comparing the ORMP and the Ocean Summit, the ORMP update focuses on local management issues and the HOCC Ocean Summit has an international focus. CZM 309 funding was tied to updating the ORMP.

The Summit is scheduled for October, but the ORMP is really outdated and agencies are experiencing poor management decisions in the field. The Ocean Tourism Coalition hired Mike Markrich to update the commercial recreation section of the ORMP because the government has refused to put any money into this several hundred million dollar industry.

Water Quality Working Group: - Ron Terry: Susan Miller and others from CZM reviewed some of the responses in the survey. The survey was designed to get to the heart of waste water issues which MACZAC previously discussed. The survey results can be compared with how other States treat water issues and maybe we can come up with workable solutions for Hawaii.

Shoreline Certification Working Group: - Donna Brown: At the last Working Group meeting, discussion centered more on changing administrative procedures rather than amending the law. There are bills this session based on our adopted recommendations and the Working Group has not had a chance to look them. She would like to review the bills and e-mail the Working Group whether or not to support legislation.

Cultural Resources Management Working Group: - Arnold Lum: Ron and Arnold agreed to work on a Resolution that starts out, "Whereas there is public trust responsibility in DLNR to protect cultural sites."

Legislative Working Group: - Donna Brown: H.B. 131 Hawaii Marine Reserve Network Act, according to an employee in the Division of Aquatic Resources, is a good bill but subject to legislative changes. DLNR is not supporting the bill because initiative lacks funding. The bill creates an advisory council to gather information from communities and a scientist to identify important places for Marine Protected Areas (MPAs) designation. MACZAC budgeted travel funds for Neighbor Island members to testify on legislative bills supported by MACZAC. MACZAC members wanted to review a copy of the bill before lending support. Members were asked to review the bill and communicate with Chris Meller regarding their support of the bill.

Peter Young - Presentation

DLNR cannot be viewed as the sole entity responsible for resource protection. DLNR needs community involvement so they chose the Hawaiian word Kuleana. There was some concern with that name so they came up initially with Ho'okuleana, "to take responsibility." Ho'okuleana is a theme of DLNR's outreach efforts that strive to involve communities and constituencies in assisting with the management of our natural and cultural resources.

DLNR has been involved with the Miloli'i community in establishing what is called a Coastal Watch Program, similar to a neighborhood watch, and they are looking to expand the program around the State. A partnership with The Nature Conservancy was started to expand the coast watch concept into a mauka-makai watch. The mauka-makai watch concept is based on the idea that the people who use, live closest to, or are involved with the resources are in the best position to help ensure compliance with resource protection and preservation. This is to be used as a prevention measure similar to the Kailua-Kona Aloha Patrol.

Arnold Lum asked whether there will be a contact number on the brochures. There will be a toll free, 24-hour enforcement line.

Peter announced the establishment of HOCC. HOCC will have its first meeting later this month. DLNR called a meeting with State agencies to discuss ocean and coastal concerns in November 2003 because there were overlapping responsibilities and a need to bring everyone working together.

All HOCC meetings will be public meetings. Anne Sturgis asked why there are no environmental groups represented. Peter indicated that the group is large already and the Polynesian Voyaging Society and the Office of Hawaiian Affairs will be added. The group will also discuss the Ocean Commission Report.

The BLNR Coastal Policy recognizes issues regarding (1) the changing shoreline, (2) public and private improvements, (3) user conflicts, (4) near-shore water concerns, and (5) resources-jurisdiction-outreach. BLNR will be developing (1) an integrated shoreline policy, (2) a marine

protected area (MPA) framework, and (3) an ocean recreation user conflict avoidance - evaluation of capacity.

The Board authorized that the MPA component go through a public process. The first part of the outreach is describing the MPAs at public meetings. The meetings will answer questions about the MPA definition and the six categories listed, if there should be more, what they should be called, and criteria for designation. If we can come to some kind of agreement, we can keep it as a policy, move it to a rule, or request passage of a statute by the Legislature.

The Board also authorized that the Ocean Recreation User Conflict component of the Coastal Policy go through a public process to discuss user conflict in the context of conflict avoidance, rather than how we deal with problems. Some of the challenge areas are surf schools, kayak operations, swim with dolphins, tow-in surfing, and feeding sharks.

Regarding the DLNR Coastal Policy Integrated Shoreline Policy and shoreline certifications, last year DLNR had 160 certifications around the State. For recent certifications, DLNR sent a Sea Grant representative working within DLNR and another person from the Land Division to go out with the surveyor to see where the shoreline ought to be. As of this weekend, we have an agreement between Sea Grant, DAGS, and DLNR to fund a Shoreline Locator position from Sea Grant. The cost for the locator will be shared by all three agencies. The primary purpose will be to do the site inspections for all the contested and questionable shoreline certification requests around the State. There may be a two-year agreement on a trial basis. We hope that CZM Hawaii can also help in funding this position.

Lastly, DLNR supported the Hawaii Summit-to-Sea 2004 (Mauka/Makai) December 2004, Conference. Unfortunately, there were scheduling conflicts with other State approved conferences. There is support at the Governor's level for a Conference. Peter would like to maintain discussions with MACZAC, other agencies, and HOCC to put on a Conference or Summit. There has been discussion about the size and time. Regarding time, we would like to make a commitment to tie it in with the CZM All Islands Meeting.

Arnold Lum suggested that, yes, there should be a Conference, but it might be more limited in scope, dealing with issues of immediate concern. Peter stated that there is a long list of names and entities and what their priority issues are. It can be meaningful for them individually and us as a State collectively to discuss the issues.

Peter agreed that addressing priority issues would be preferable.. Arnold said that the Conference should be smaller, more focused.

Arnold inquired about the MPA proposals. The original concept of the MPAs is that the approach is biologically based and geographically oriented, whereby a system of reserves is

created to allow sufficient sources of bio-diversity. DLNR gave new names to existing programs and there does not seem to be any progress towards developing the MPA concept using the existing programs. The broader discussion is on a network or system of how they are interconnected, and why they are placed, and where they are placed. For some, the discussion has to happen because they do not understand it yet, and they still fight it. We need to foster a better understanding by the broader community, including local fishermen. The MPA would insure fish for the future.

Arnold mentioned that legislation is also a component. Is DLNR supporting the current MPA? Peter replied that DLNR has been asked to look at it and come back with some recommended changes, and that was to be happening today.

Ron Terry commented that he is pleased with a lot of these initiatives to establish a consistent policy and close the loopholes. He was curious about how Peter sees HOCC, with another ocean plan, organizations, and policies, in terms of how they relate or seem parallel to MACZAC. MACZAC has not really been apprised of DLNR activities. What does Peter see MACZAC as? Is MACZAC part of this? Peter replied that MACZAC has a seat on HOCC representing the only real community group written into the Executive Order. Every other member is a government agency. This was done on purpose to get the input from this group.

Peter wants to work with MACZAC because as a group it is geographically dispersed, has multiple interests, and is a resource for them to deal with.

Arnold Lum sees MACZAC as a point of contact for NGOs. We are supposed to be an advocacy council and maybe we should follow through for the public. Sue had mentioned previously to Peter that we are a ready-made group. We are an advocacy group and we do not use the word advisory. Peter indicated HOCC officially started on January 28, this is February 2, and we are the first group to review this information.

John Ray mentioned that there is a feeling of being marginalized by not being a part of the initiatives that Peter has discussed today with MACZAC.

With regard to the Conference, most of us in MACZAC feel that it is too much and too soon in terms of time frame. Based on our discussions on what it would take to put on a conference of this size and scope, it should all be taken into consideration before any real decision is made.

Sue mentioned funds may not be available. We had partners, OHA, and the Hawaiian Civic Clubs when the Conference was originally planned for December, but that was last year's money. Does DLNR have the financial resources to continue with the Conference? The concern is whether OHA and the Association of Hawaiian Civic Clubs will still be partnering.

Scott emphasized that changing shoreline issues are rapidly escalating around the Islands. His firm gets a lot of calls from property owners because DLNR and County personnel refer to them. The emerging shoreline issues are escalating, so the idea of developing a policy will really be helpful to property owners who will get a better idea of what to do. There is a need for clear guidelines.

According to Peter, there is discussion with the Governor to pursue Memorandums of Agreement with the Counties. This would be a five party agreement with Counties and the State on specific issues, for example, the shoreline setback issue. They will be pursuing discussions about erosion-based setbacks, rather than fixed setback.

Roland Sagum stated that for shoreline properties, there is limited recourse. The permits for these people to do their projects are far too expensive. Ways are needed for money to go into a coffer for certifications.

Anne Sturgis asked if it would be reasonable for a percentage of property assessments to cover cost of the shoreline certification conducted by the government.

Donna Brown wanted more information about the Marine Reserve Act and recommended changes.

Peter responded that DLNR is supporting the movement towards a system rather than a network. Part of this is to get the discussion about the framework out there. So let us talk about the various tools out there to protect resources, whether it is a conservation district, fishery management area, or a marine park, reserve, or refuge. We want an inclusive system that would include County, State, and Federal protected areas. They are also suggesting a pilot island for the process.

Donna asked about the newspaper insert in the Star Bulletin. She suggested putting it into the neighbor island papers as well. Peter explained that they have a grant from NOAA, and an exemption from DAGS to also put the insert in the Advertiser because it has a wider neighbor island distribution. They will have it online and do an overprint to be available for schools around the State. If it is a success, then they might consider a reprint for greater distribution.

Darrell Stokes had a comment about the Mauka-Makai Watch. A lot was said about watching other people, but what about watching illegal commercial operators? He had concerns that people participating in the program may also be the violators. There is a real problem on Lanai right now. Only one commercial operator is licensed to use our beach, but a lot of operators drop people off at the harbor and all of those people are walking to the beach. The beach is totally overcrowded. Other operators are using the beach so it is not fair to the one commercial operator

that pays to use the beach. Peter explained that statewide there are about 80 enforcement officers with badges and weapons, two are on Lanai.

Sue mentioned a concern about the marginalization of not only MACZAC, but also of the CZM Program. CZM was not involved in the initial discussion about these initiatives.

Regarding, HOCC, Peter took his initiative to the Governor stating that there was a way to create it, the State ought to have it, and of any state in the nation, Hawaii needs to be a leader in coastal issues. We need to work better together as government.

The U.S. Commission on Ocean Policy had recommended regional and or state councils. The Council was formed at a Cabinet level, then, expanded to include other County, State, and Federal leadership within Hawaii.

Sue mentioned the fact that DLNR hoped to receive CZM participation in funding the shoreline locator (Sea Grant) position. This brought up the issue of the CZM approval process for funding. In testifying before a Senate committee last year Ted Liu and Peter Young explained the role of both Departments in splitting up the responsibilities for the Office of Planning. Ted was signing off on the more administrative aspects like hiring and Peter was responsible for policy. Peter replied that they are still operating in this way.

Sue said that she's pleased that the Office of Planning is getting a Director. The position has been empty for quite a while since David Blane left, and there is concern about micromanagement, e.g., contracts, hiring, travel, etc.

Old Business

None.

New Business

The only legislative thing that MACZAC has to do is the annual report.

April Meeting Date

The next meeting is scheduled for April 20-21, 2005, with an alternate date of April 27-28, 2005, on Lanai. An evening public forum and a field trip to Manele Small Boat Harbor to understand commercial boating and waste water issues.

Adjournment

The meeting was adjourned at 1:40 p.m.