

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

March 7, 2008
12:30 pm to 4:45 pm
Hawaii Office of Planning, Conference Room
235 South Beretania Street, 6th Floor
Honolulu, Hawaii 96813

MINUTES

ATTENDANCE

- Members Present: Donna Brown, James Coon, Makaala Kaaumoana, Rhoda Libre, Henry Lau, Arnold Lum, Walter Ritte, Susan Sakai, Ron Terry, Kanoa Withington, Donna Wong
- OP/CZM Staff Present: Susan Feeney, Melissa Iwamoto, Abbey Mayer, Marnie Meyer, Douglas Tom
- Others Present: Jennifer Brooks (OIP), Brian Hunter (DOH), Linden Joesting (OIP), Alice Kawaha (Hawaii County Planning Department), Christina Meller (retired from OP/CZM), Susan Miller (retired from OP/CZM), Jessica Stabile (MACZAC), Paul Tsukiyama (OIP)

DISTRIBUTED MATERIAL

- Meeting Agenda
- Minutes of the December 6, 2007 Meeting
- CZM Report
- 2007 U.S. Ocean Policy Report Card
- Hawaii CZM Program – 2007 Annual Report
- RCUH Agreement for MACZAC Administrative Services (MACZAC Budget Worksheet)
- “State Launches Effort to Support Hawaii’s Marine Life Preservation”
- “Your Help is Needed to Protect Ocean Life”
- “Yearlong Celebration of Hawaii’s Coral Reefs Kicks off at State Capitol”
- “Governor Lingle and Lt. Governor Aiona Proclaim February as Humpback Whale Awareness Month”
- “Activists Fight for Right to Get to Beaches”
- “DLNR Holds Public Hearings on Proposed Changes to Parking Rules at State Small Boat Harbors”
- “Most Parking Spaces to Remain Free at Ala Wai Harbor”
- “DOE May Need Cesspool Extension”
- “Bump With Whale is Warning for All”
- “Kahului Harbor 2030 Master Plan Draws Concern”
- “DLNR to Host Information Meeting on Lahaina Ferry Pier Project”
- “Molokini Boat Tour Facing \$672,618 Fine”
- “Board Talk – Molokini Damages to Include at Least \$550,000 Fine, Permit Suspension”

- “Status of Maui’s Coral Reefs”
- “State’s New Ballast Water Rules Aimed to Reduce Introduction and Spread of Alien Marine Life into Hawaii Waters”
- Legislative Bills for MACZAC March 7, 2008 Meeting
- “Aha Kioloa Committee Tramples Over Public Process in Selecting Contractor”
- ‘Aha Moku Community Research Group
- MACZAC’s Moku Management Working Group 1/11/08 Meeting Summary
- Solutions to Coastal Disasters Conference (Turtle Bay Resort, Oahu, April 13-16, 2008)

Call to Order

Chair Arnold Lum called the meeting to order at 12:40 p.m. Everyone introduced themselves.

Chair Arnold Lum noted that MACZAC member Pua Ishibashi resigned from the group in February, resulting in one new vacancy.

New Interim Director of the Office of Planning (OP), Abbey Seth Meyer, introduced himself to the MACZAC members and highlighted his interest in place-based resource management.

Approval of the December 6, 2007 Meeting Minutes

Ron Terry had one minor suggested change to the Minutes: on page 2 under the Hot Topic Reports heading, the second sentence should read: “Ron also discussed the efforts of the Mauna Kea Management Board to develop and integrate natural and cultural resource management plans, a process which is getting subsumed into a comprehensive management plan being undertaken by the UH system in response to litigation challenging the construction of new observatories on the mountain.”

Minutes were unanimously approved, as amended.

Office of Information Practices (OIP) Presentation: Sunshine Law Overview

Jennifer Brooks, OIP Staff Attorney, gave a presentation on the Sunshine Law, which is codified at Part 1 of HRS § 92. The Sunshine Law is essentially an open meetings law specific to government boards that are required to have open meetings. Thus, the definition of “board” is important. The Sunshine Law applies when board members are discussing board business, which is a term that is construed broadly to protect the public but which is also constrained under federal constitutional protections of free speech and the freedom to associate. The definition of “board business” is important, and basically means things that are within the group’s authority such as discrete items that are on a board’s agenda or that are reasonably presumed to appear on the board’s agenda within the foreseeable future.

The Sunshine Law impacts what a board can do before, during and after a meeting, and limits activities allowable outside of a meeting. Prior to a meeting, the board is required to file notice of the meeting by posting the agenda through the State’s Office of the Lieutenant Governor at least 6 calendar days before the meeting is to occur. The agenda must have a sufficient level of specificity so that members of the public can understand what issues the board will be addressing during the meeting. During a meeting, members of the public have the right to submit oral and/or written comments on any agenda item. Testimony is to consist of statements rather than questions, however. It is possible under certain specific circumstances for board members to vote to go into an executive session, which is a meeting of the board

that is closed to the public. Written minutes of the meeting must be kept. Following a meeting, the board minutes are required to be made available to the public within 30 days, upon request. If the minutes are not in finalized form and have not yet been formally approved by the board, it is sufficient to release a draft version of the minutes. Minutes of executive sessions are not automatically public and can be withheld from the public if publication would defeat the lawful purpose of the executive meeting.

The Sunshine Law also regulates discussions of board members outside of a meeting. The Sunshine Law generally prohibits discussions about board business between board members outside of a properly noticed open meeting. This applies to communication in person as well as via telephone, email, fax, and mail. While board members cannot communicate about board business amongst themselves outside of a meeting, they are not prevented from discussions about board business with non-board members, nor are they prohibited from communicating about non-board business amongst themselves. In addition, certain types of communications about board business outside of a meeting are statutorily permitted without the procedural requirements that would normally be required. These six types of permitted interactions include: communications between only two board members (as long as there is no commitment on voting), board members making presentations and discussions on a position that the board has adopted (as long as number of members is less than a quorum), communications between board members about selection of board officers (as long as number of members is less than a quorum), communications between board members about routine administrative matters, discussions with the Governor, and board members can investigate matters concerning board business if the findings of which are then reported back to the entire board at a properly noticed open meeting (as long as number of members is less than a quorum). Jennifer Brooks also noted that there is a bill currently before the Hawaii State Legislature, SB 2295, that would allow less than a quorum of board members to attend and testify at legislative hearings or other board meetings, or to attend community meetings and seminars.

CZM Hawaii Program Report and Legislative Update

See attached report for March 6, 2008 prepared by Douglas Tom, CZM Program Manager.

MACZAC Budget Status Update

CZM employee Susan Feeney informed the members that MACZAC's project agreement with RCUH will expire in December 2008, so it will have to get a time extension and/or enlarged scope of services at that time. The project began in March 2006 with funding of \$50,000, and approximately \$13,000 of that still remains. An additional \$25,000 will soon be added to the RCUH account to cover administrative costs and MACZAC projects, while an additional \$3,000 will be added for moku management efforts. Therefore, MACZAC needs to plan out its upcoming activities with a timeline and cost projections.

CZM Program Manager Douglas Tom noted that the CZM Program oversees MACZAC's funds to ensure that they are spent according to the rules. Expenditures must be reasonable and must support CZM Program policies and MACZAC's statutory mandate. Douglas specified that any budget proposal from MACZAC must be compatible with OP and CZM Program objectives, and must be affordable and timely. Susan Feeney added that MACZAC should try to come up with a budget proposal to present at its next meeting. If MACZAC's budget proposal outlines achievable goals with detailed action items that complement ORMP goals, then it will be a stronger proposal for the CZM Program to fund.

Hawaii Ocean Resources Management Plan (ORMP) & Moku Management Project Overview

Marnie Meyer, CZM employee, reported that the ORMP Working Group has been meeting monthly, and the ORMP Policy Group's biannual meeting is scheduled for April 9. The main drivers behind the process are community stewardship and government-community collaboration. The ORMP is constantly being updated as a living document that will continue to change over time, and is a document that will hopefully influence the direction of the State's coastal policies towards a mauka to makai approach. Marnie reported that the ORMP Working Group is looking to develop a 'next steps' outreach strategy to get public input statewide and it will want MACZAC's assistance, but this plan must first be approved by the ORMP Policy Group. Walter Ritte stated that he wants to first understand how the ORMP relates to peoples' daily lives before he is willing to present it to the community. Walter opined that the outreach should be presented to the public in such a way that community members can see how it will help them, needs to be presented at a level that the public can actually absorb, and needs to be regionally specific. Makaala Kaaumoana and Henry Lau both expressed concern that county offices and community members are not informed about the proposed plan, and so there needs to be more public participation in the process because priorities are different for different stakeholders, and not all groups are represented during the ORMP meetings. Makaala mentioned that a community process is already in place through various local Watershed Councils, but these are barely mentioned in the ORMP. Douglas Tom reminded MACZAC members that their comments can be funneled through Jim Coon, who is MACZAC's representative to the ORMP Working Group. Jim Coon added that ORMP goals and policies need government agency directors' buy-in, and so having Laura Thielen as DLNR's Chairperson should help. Christina Meller, retired CZM employee, noted that community groups and government agencies need to partner to work together on these issues because there is never enough government staff to do it all.

Melissa Iwamoto, CZM employee, reported that given all the confusion over the increasingly common use of the word moku, the Moku Management Project is changing its name from moku management to something that indicates community-based natural resource management. Melissa said they would welcome MACZAC's or other public input on the name selection. Several MACZAC members recommended that Melissa contact respected Native Hawaiian historians and linguists for suggestions on what would be an appropriate name for the project. Melissa also noted that MACZAC members Walter Ritte, Makaala Kaaumoana, Rhoda Libre and Pua Ishibashi attended the community stewardship workshop that took place on January 23, 2008 in Honolulu. Currently, the workshop's report is being finalized and will soon be available both in hardcopy and online. CZM's survey on community stewardship efforts in Hawaii was already undertaken, but the response was less comprehensive than expected. Melissa asked for MACZAC's assistance in better identifying all of the relevant community groups out there, and also in bringing the integrated planning framework out to the public.

Investigative Working Group Reports

Marine Managed Areas Working Group:

Working Group Chair Donna Brown indicated that, at this point in time, group members were still doing background research, contacting experts in the field, and reading publications relating to marine managed areas. The group has no budget and has not expended any funds. Donna anticipates that there will be more to report at the next meeting.

Wastewater Working Group:

Wastewater Working Group Chair Ron Terry indicated that there is not much to report at this time. However, Ron plans to travel to Kauai to investigate work done on water quality over there. Makaala Kaaumoana informed Ron that Ha'ena Beach Park on Kauai undertook a constructed wetland project. Ron mentioned that it is good that the ORMP is helping to bring attention to issues of coastal water quality.

Lua/Kauai Compost Toilet Facilities Working Group:

Lua/Kauai Compost Toilet Facilities Working Group Chair Rhoda Libre had nothing to report at this time.

Regulatory Review Working Group:

Regulatory Review Working Group Chair Sue Sakai noted that the group will investigate steps to help get rid of the regulatory morass that currently exists in Hawaii. Environmental Assessments under HRS § 343 are burdensome for the counties, and UH-Manoa's Department of Urban and Regional Planning is currently conducting a study of this.

Boating Working Group:

Boating Working Group Chair Jim Coon noted that the State is continuing to release funds for harbor improvements. On Maui, the haul out looks like it will be located at Kahului Harbor. DOBOR's special fund must be completely self-supporting (no general funds), so this is basically a business model that is built on the backs of commercial boaters and the public. Currently, there is a \$250 million backlog of deferred maintenance. However, DLNR still does not have the functionality to do even basic maintenance; for example not all harbors have safety infrastructure as simple as egress and ingress buoys. Jim also believes that it is important to have pump out facilities at all of the State's harbors. Jim opined that the real problem is that DOBOR does not belong within DLNR, although he noted that there were also plenty of problems when DOBOR was part of DOT. Makaala Kaaumoana noted that perhaps MACZAC could write a letter recommending a financial audit of the special funds for small boat harbors.

Shoreline Access & Coastal Parking Working Group:

Shoreline Access & Coastal Parking Working Group Chair Arnold Lum reported on DOBOR's proposal to increase incoming funds to offset the cost of fixing rundown harbor facilities, starting on Oahu and then likely expanding its efforts to Maui and elsewhere. At the Ala Wai Small Boat Harbor, DOBOR proposes to start charging commercial rates to park. BLNR voted that DOBOR can raise parking rates to the maximum charged by the City & County of Honolulu in its municipal lots (\$1.50 per hour). Arnold Lum indicated that he has been collaborating with the grassroots groups Common Ground Hawaii and Oahu Surfrider Foundation on the Ala Wai Small Boat Harbor parking situation. The groups have presented public testimony, picketed, marched, and demonstrated, attracting media attention along the way.

Legislative Working Group:

Legislative Working Group Chair Donna Wong provided a handout outlining the status of bills relevant to MACZAC that are currently before the Hawaii State Legislature. Because the group members were unwilling at this time to vote in favor or against the various bills, Donna suggested that people investigate the bills that they are interested in and then submit testimony on their own. Donna highlighted two bills – 3178 (relating to civil penalties for violations on public lands) and 3177 (penalties for violations within the conservation district) – that Laura Thielen as Chairperson of DLNR had asked for MACZAC's support of.

Moku Management/ Hui Kuleana Working Group:

The Moku Management Working Group has been renamed as the Hui Kuleana Working Group. It was further announced that following Pua Ishibashi's resignation from MACZAC, Makaala Kaaumoana will assume the position of Chair of the Hui Kuleana Working Group. Makaala reported that the working group members had a meeting on Kauai on January 11, 2008. The members are ready to submit a budget proposal and a draft meeting schedule, with the aim of becoming more active in supporting some of the ORMP objectives. It was noted by CZM staff that the Hui Kuleana's budget would have to be submitted as a component of a larger MACZAC budget proposal rather than as a discrete budget on its own, as it is the MACZAC group as a whole that is the entity that has a formal relationship with the CZM Program.

Hui Kuleana member Walter Ritte provided a handout summarizing the work both completed and planned by the 'Aha Moku Community Research Group that he has formed along with several UH-Manoa professors and students. The report highlights the relationship between the CZM Program and SMA issues, and proposes to do a study of two locations (one urban: Ko'olina on Oahu, and one rural: La'au Point on Molokai) to determine how the CZM Program could actually interface with an 'aha moku system that focuses on place-based resource management. Their aim is that the study will offer suggestions for how the various levels of government can engage a traditional ahupua'a approach to resource management.

New Business

Agenda Items for the Next MACZAC Meeting:

At the next MACZAC meeting, members would like to discuss the over-commercialization of marine and coastal resources, the lack of a coastal place-based carrying capacity determination, and the open ocean caged marine fish farm aquaculture industry.

Solutions to Coastal Disasters Conference:

The Solutions to Coastal Disasters Conference will be held from April 13-16, 2008 at the Turtle Bay Resort on the North Shore of Oahu. No MACZAC members will attend, although CZM staff will.

Adjournment and Next Meeting Date

Chair Arnold Lum adjourned the meeting at 4:45 p.m. The next meeting is scheduled for May 9, 2008 at the Office of Planning's Conference Room in Honolulu.

March 6, 2008

To: MACZAC Members

From: Doug Tom



Subject: CZM Report

National CZM Act. Discussions on CZMA reauthorization continue. Unfortunately, differences on purpose, funding, competition, and quantification persist. NOAA is advocating a focus on national interests, while the Office of Management and Budget continues to mandate quantifiable measures of performance. There is an uneasy feeling about such standardization since it would transform the national program from one of encouragement to one of prescription with external values that may or may not be relevant to local jurisdictions.

The national interest argument is seen by many as a federal leveraging tactic to accomplish federal as opposed to state interests. It is contrary to the congressional proclamation that the national interest is expressed by and carried out through local initiatives. The Coastal States Organization (CSO) embodied standardization in its draft proposal, and the proposal failed state endorsement. The proposal calls for CZM programs to assist coastal communities in assessing and managing urban growth, providing infrastructure, revitalizing blighted areas, and reducing impacts on coastal resources and amenities. For Hawaii, in particular, compliance would likely not be possible inasmuch as land use policy making is at the heart of the counties' home rule portfolio. Moreover, since land use policy making is already reserved for states under the Constitution, states can already seek the specific legal provisions to carry out the purpose from their own jurisdictional legislative entities. Hence, the proposal is also an inappropriate purpose of federal legislation.

The second prong of the national interest argument is protection and restoration of coastal, estuarine, and marine ecosystems, habitats and unique resources at all geographic scales. The intent is to go beyond established CZM areas in some jurisdictions. Because of its visible geographic character, it has an attraction to the federal government. It is tangible unlike the fundamental actions of management. But, it could also engender conflicts with the present CZMA principles of states' rights and self-determination since federal protection actions could drive and leverage state and county actions.

The U.S. insular jurisdictions collaborated on a review of the CSO reauthorization proposal, and we do not support it in its present form. An insular position setting forth important principles that need to be retained will be developed.

Arguments that the CZMA is not broken and, therefore, does not require fixing were also presented. Besides, CZM programs will likely have to tackle global climate change issues, and it is a massive challenge that cuts across CZM interests and concerns and will tax CZM resources. Without infusion of federal financial support, states may not be able to tackle the challenges. Many feel that the subject alone is significant enough to justify reauthorization and financial support at higher levels.

Ocean Resources Management Plan (ORMP). Progress in coordinating implementation and further developing the plan has been made. The ORMP Working Group has continued to meet monthly, and in January, the members submitted their final agency work plans for ORMP implementation. A consolidated implementation plan will be presented for ORMP Policy Group consideration at its 2nd meeting in April, where Jim Coon will be making a brief presentation on the ORMP from the community perspective. In addition, the counties, DLNR, and the UH will also be making presentations.

On Wednesday, February 27, 2008, the Joint Ocean Commission Initiative (U.S. Commission on Ocean Policy and Pew Oceans Commission) presented its third annual assessment of the nation's progress toward implementing the recommendations of the two commissions as well as the Administration's U.S. Ocean Action Plan. The report card is attached. The first two grades are significant. While other states have or are in the process of enacting ocean legislation, Hawaii stands out as the first state to embark on a place-based, culture-based, and community-based approach to resource management. This represents a golden opportunity for Hawaii to work more closely with NOAA and obtain additional substantive and financial support, especially in consideration of the House Natural Resource subcommittee's reminder of NOAA's uncomplimentary grade for federal support of state and regional ocean initiatives. In informal discussions, NOAA personnel expressed agreement.

We are deliberating a new term for what we have previously referred to as the "moku management" because our work is being confused with the Aha Kiole system formed under Act 212, SLH 2007.

In January, a statewide workshop on community natural and cultural stewardship efforts was held. Approximately 50 people participated. About half of the attendance represented the neighbor islands. MACZAC was represented by four members. A draft framework consisting of a set of principles with accompanying implementation options was presented for comment. The revised framework will be used to guide our efforts toward developing an integrated, place-based approach to natural and cultural resource management. We are presently reviewing our consultant's report and will share it with MACZAC once it is finalized.

National Performance Measurement System. Hawaii is a frontrunner in fulfilling this Office of Management and Budget (OMB) requirement, thanks to the cooperation and support of the counties. Phase II is complete, and work on the final Phase III has begun, thanks to the County of Kauai who agreed to help us kick start it. Meetings with the counties of Hawaii and Maui will follow. We are on pace to complete the project according to the federal schedule. However, we are struggling with the counties in determining how the system data can be of the most use to them in their ongoing planning and management responsibilities. We are also collaborating with the federal Office of Ocean and Coastal Resource Management to clarify the financial data we are asked to collect for each educational activity and training opportunity for inclusion in our semi-annual performance reports.

Congress' General Accounting Office met individually with state CZM program managers to learn local reactions about the national CZM performance measurement system and

other aspects of administering the national CZM program. However, the performance measurement system was the topic of greatest concern. OMB's emphasis on quantification distorts the concept and value of management. Although prevention is a fundamental precept of management, it is ignored due to the difficulty to quantify it in reasonable terms. If strictly enforced, states fear that prevention actions may not qualify as federal CZM expenditure because of their unquantifiable character.

Bean counting is misleading. One vertical public access in Hawaii can be more valuable than ten or twenty on the eastern seaboard where many beaches are private. The real management success of the CZM Program is not how many accesses have been provided but the attitudinal change in developers that CZM has instilled. How is this quantified? Perhaps optimistic, state managers are looking forward to a GAO report on this matter, hoping it might influence flexible changes.

Special Management Area (SMA) Permit System. In January, CZM completed presentations to all county planning commissions and training classes with county planning staff on CZM and the SMA permit system. The exercise was a federal requirement stemming from public complaints about inconsistent SMA permit decisions during an earlier federal evaluation. For those who can receive electronic messages, Jessica sent a copy of the presentation for information.

We are amending our SMA rule, HAR Chapter 15-150, to conform with amendments to Chapter 205A. Act 169, SLH 2001, removes the automatic exemption for nonstructural improvements that may have a cumulative impact or a significant environmental or ecological effect on the SMA. It also elevates the fines that can be imposed from \$10,000 to \$100,000 and daily fines from \$1,000 to \$10,000 for the duration of the violation. Act 76, SLH 2004, exempts the construction, installation, maintenance, repair, and replacement of civil defense warning or signal devices and sirens from the definition of development so long as they do not generate cumulative or adverse environmental and ecological impacts. Act 224, SLH 2005, prohibits artificial lighting directly illuminating the shoreline and ocean waters and directed across property boundaries toward the shoreline and ocean waters, with some exceptions. The amendments are necessary for enforcement. In addition, for consistency with county rules, we are also proposing an amendment for authorization to waive the requirement for a shoreline certification where the shoreline has already been hardened and fixed by an approved manmade structure.

A major project we are coordinating the EIS for is a sea water air conditioning facility in Kakaako. The OP is the accepting authority for the EIS. The project is being closely coordinated with DLNR since a CDUA permit will be required. Upon acceptance of the EIS, the project will be processed for a SMA major permit.

Coastal Hazards. For the County of Kauai to continue its eligibility to receive federal aid in the event of a presidentially-declared disaster, the update of its multi-hazard mitigation plan must be approved by FEMA by December 31, 2008. CZM is assisting the county in the effort. CZM will integrate the land use, CZM, and GIS work of OP into the update. Last year, CZM provided

similar assistance to the State hazard mitigation plan update. The work also supports implementation of the ORMP.

Federal Consistency. Three federal consistency activities might peak MACZAC's interest. On February 11, 2008, we received a second CZMA negative determination from the Navy regarding its planned undersea warfare exercise (USWEX) scheduled for this month. USWEX is an anti-submarine warfare exercise of the Navy's carrier strike groups and expeditionary strike groups in transit from the west coast to the western Pacific Ocean. The primary CZM concern is the use of mid-frequency sonar and its effects on whales and monk seals. Other concerns include the effects on endangered birds and cultural resources, and the potential effects on coastal uses such as whale watching. The Navy's negative determination is its finding that the activity will not affect any coastal use or resource and, therefore, is not subject to review by the CZM Program.

On March 3, 2008, we issued our objection to the Navy's negative determination for several reasons. First, the Navy committed to submit a single comprehensive coastal consistency determination for all remaining USWEX after November, 2007 and for other Navy activities occurring within the Hawaii Range Complex. This was a condition to our issuance of a "no objection" to the negative determination for the November, 2007 USWEX. Second, the negative determination does not provide sufficient information or the opportunity to evaluate the cumulative impacts on a program-wide basis and in relation to other Hawaii Range Complex activities. Finally, unlike the November, 2007 USWEX, the Navy will conduct strikes on Kaula Island and the Pohakuloa Training Area.

On February 29, 2008, Judge Ezra granted partial preliminary injunction, allowing the Navy to proceed with the March USWEX but with additional mitigation measures such as no use of sonar within 12 nautical miles from shore, powering down operations when marine mammals are in view, and before and after monitoring by three dedicated lookouts onboard the sonar vessel and aerial monitoring. The pre-exercise monitoring must occur 60 minutes before the use of sonar.

On February 25, 2008, the Navy submitted a comprehensive federal consistency determination for its Hawaii Range Complex activities, which includes USWEX and RIMPAC exercises. The area encompasses 235,000 square nautical miles around the main Hawaiian islands and about 2.1 million square nautical miles beyond. The project involves anti-air warfare, amphibious warfare, anti-surface warfare, anti-submarine warfare, mine warfare, strike warfare, electronic combat, and naval special warfare. Although we will publish a notice on the filing in the March 8, 2008 issue of "The Environmental Notice," no public hearing is required or will be held.

The third project is the Hawaii superferry security zone. On January 2, 2008, we issued our concurrence of the U.S. Coast Guard establishment of a security zone in Kahului Harbor, Maui. The zone would be in effect 60 minutes before the arrival of the superferry up to ten minutes after its departure. As a condition to the concurrence, canoe and boating clubs, small commercial businesses, and native Hawaiian cultural practitioners will be given consideration for access to resources while the zone is activated.

Kahala Beach Vegetation Encroachment Issue. In the last report, the issue of induced vegetative growth along Kahala Beach was described. The City and DLNR have since conducted surveys and investigations and will inform residents of the issue and require them to cease vegetative growth that extends into the beach. A follow up meeting with the Kahala community is forthcoming.