

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

July 28, 2011  
9:45 am – 3:45 pm  
Hawaii State Office of Planning (OP), Conference Room  
235 South Beretania Street, 6<sup>th</sup> Floor  
Honolulu, Hawaii 96813

**MINUTES**

ATTENDANCE

- Members Present: Donna Brown, James Coon, Michael Gleason, Makaala Kaaumoana, Robin Kaye, Henry Lau, Rhoda Makanani Libre, Michael Sabas, Susan Sakai, Kimbal Thompson, Weston Yap
- Members Absent: Andrew Argyris
- OP/CZM Staff Present: Leo Asuncion, Mary Lou Kobayashi, Shichao Li, Marnie Meyer, Kenny Roberts, Jesse Souki
- Others Present: Scott Glenn (TEC Inc.), Brian Hunter (DOH), Jessica Stabile (OP/CZM-MACZAC)

DISTRIBUTED MATERIAL

- MACZAC Meeting Agenda for July 28, 2011
- Minutes from June 1, 2011 MACZAC Meeting [draft]
- CZM Program Report to MACZAC (7/28/11)
- Brief Sheet on the Environmental Council, Prepared by Scott Glenn (7/28/11)
- Office of Environmental Quality Control, The Environmental Council (Hawaii State Department of Health, 2011)
- Obama Administration Marks Next Steps in Implementing Nation's First Ocean Stewardship Policy with Series of National Ocean Month Public Events (National Ocean Council, 6/2/11)
- National Ocean Council's Pacific Islands Regional Listening Session, Agenda for June 16, 2011
- National Coastal and Marine Spatial Planning Workshop, Agenda for June 21, 2011
- "Legislative Update of Hawaii Environmental Policy Act – Related Bills" (Hawaii Planning, Spring 2011)
- "Governor's Message on 2011 Legislative Bills" (Honolulu Star-Advertiser, 7/13/11)
- "State, Nonprofits Partner to Launch Initiative to Benefit Hawaii's Nearshore Fisheries" (State of Hawaii, 5/26/11)

- “DLNR Units to Enforce Fisheries Laws, Policies” (The Maui News, 6/7/11)
- “New Hawaii Quota for Opakapaka, Other Bottomfish” (The Garden Island, 6/20/11)
- “State Announces Public-Private Partnership to Replenish Sand in Waikiki Beach” (State of Hawaii, 5/12/11)
- “DOT Event to Look at Shore Erosion” (The Maui News, 6/20/11)
- “County Nearing Permanent Fix for Eroding Aliomanu Road” (The Garden Island, 6/19/11)
- “Wetland Gone Dry” (The Maui News, 6/20/11)
- “NELHA Facility Harnesses Power from Ocean” (West Hawaii, 7/8/11)
- Beach Access (Surfrider Foundation – Oahu Chapter, 2009)
- Coastal Access in Hawaii (UH Sea Grant, 2011)
- Public Access Rights (UH Sea Grant, 2011)
- Hawaii Day-Use Mooring Buoy System (Malama Kai Foundation)
- Status of Maui’s Coral Reefs (Hawaii DAR-DLNR)

### **Call to Order**

Chair Robin Kaye called the meeting to order at 9:50 a.m. All attendees introduced themselves.

### **Approval of the June 1, 2011 Meeting Minutes**

Minutes were unanimously approved.

### **Hawaii Coastal Zone Management (CZM) Program Report and Legislative Update**

Jesse Souki, OP Director, welcomed the new CZM Program Manager, Leo Asuncion, to OP.

Mary Lou Kobayashi, OP’s Planning Program Administrator, covered some fiscal housekeeping matters as they relate to the funding for attendance at MACZAC meetings and ORMP meetings, as per the MACZAC Work Plan for 2011-12. Mary Lou further indicated that there is no need for MACZAC to submit another work plan to OP as a prerequisite for receiving this year’s administrative funds, but noted that MACZAC may still want to generate a work plan for its own purposes. At any rate, because OP has provided MACZAC with some guidance for the areas in which it would appreciate MACZAC’s assistance, the work plan would likely want to reflect those types of activities.

Mary Lou also gave an update on her discussion with member Donna Brown regarding the MACZAC website. Mary Lou discussed the fact that MACZAC’s webpage is already hosted on the CZM website and that OP asserts no censorship over the content posted. Mary Lou also touted the social networking venues of Facebook and Twitter as recent additions to the OP website, which could be an option for MACZAC to explore on its webpage as well.

Leo Asuncion, CZM Program Manager, introduced himself and described his previous work experience as a planner in both the public and private sectors. Leo then provided an update on the Hawaii CZM Program both orally and in a summary handout. See attached.

## **Hawaii Ocean Resources Management Plan (ORMP) & Community-Based Resource Management**

Marnie Meyer, Hawaii CZM Planner, gave an update on the ORMP, which will be undergoing the update process over the next 2 years. The ORMP Working Group chose to focus on climate change as its priority issue. The most recent meeting of the ORMP Working Group, which was an all-day meeting on July 7, focused solely on climate change issues. MACZAC's chair Robin Kaye attended the meeting. Lieutenant Governor Brian Schatz gave the meeting's opening remarks in support of the group's work on climate change adaptation planning. Later this summer, the ORMP Working Group, along with the ORMP Policy Group and other partners, will be developing a statewide climate change policy to steer the development and implementation of more specific climate change policies, regulations and guidance in Hawaii. OP/CZM and its ORMP partners will host a workshop about futures alternatives, entitled "Visioning Hawaii's Adaptation to Climate Change" in Honolulu on August 22-23. The outcomes from that workshop will serve as the foundation for the development of the statewide climate change policy.

The most recent ORMP Policy Group meeting was on June 15, and its agenda focused on the development of a statewide climate change policy, along with national ocean policy issues such as marine and coastal spatial planning and regional ocean partnerships. The composition of the ORMP Policy Group morphed quite a bit since its previous meeting since so many of the members had changed with the change of administration; in addition, two new organizations had joined the group – City & County of Honolulu's Department of Planning and Permitting, and UH's Center for Island Climate Adaptation and Policy. MACZAC's vice-chair Kimbal Thompson attended the June 15 ORMP Policy Group meeting.

It was noted that OP Director Jesse Souki attended the National Coastal and Marine Spatial Planning Workshop hosted by the National Ocean Council from June 21-23 in Washington DC, while MACZAC member Mike Gleason attended the Workshop's public participation plenary session on June 21. Workshop materials were distributed. Moreover, it was noted that MACZAC vice-chair Kimbal Thompson, member Weston Yap, and administrative assistant Jessica Stabile, all attended the National Ocean Council's Pacific Islands Regional Listening Session held on June 16 in Honolulu.

### **Guest Presentation: "Updating Hawaii's Environmental Review Process"**

Scott Glenn, a planner at TEC, Inc., gave a presentation on the State Environmental Council (EC), which is a citizen advisory body established under HRS Chapter 341. The EC is governed by the Sunshine Law, and has 15 members appointed by the Governor to have a broad and balanced representation of different backgrounds. The current EC Chairperson is Mary Steiner. The EC primarily serves as a liaison between the general public and the Office of Environmental Quality Control (OEQC), whose new Director is Gary Hooser. Besides serving as a liaison, the EC's other functions are to: solicit information from the public on matters of ecology and environmental quality; make recommendations concerning matters of ecology and environmental quality to the OEQC; monitor and annually report on the progress of government agencies (state, county, federal) in achieving the State's environmental goals and policies; and rule-making authority (adopt, amend or repeal rules) for implementing Chapter 343 (EIS law). The EC currently has four subcommittees: Exemption Committee (reviews classes of exempt actions under EIS rules), Annual Report Committee (makes recommendations to the Governor), Legislative Committee (reviews legislation involving Chapter 343 and bills relating to environmental quality), and Rules Committee (updating EIS and EA administrative rules under HAR 11-200).

Scott Glenn was also involved in the recent UH Study of the EIS law, prepared for the Hawaii State Legislature in 2010, which identified many problematic issues with Chapter 343 and the State's related environmental review system. The Study's report concluded that there are better approaches available than the trigger applicability system for determining which actions are subject to review under

Chapter 343, that the environmental review system is outdated and should be modernized and streamlined, and that the three entities providing the administrative framework for environmental review – the OEQC, the EC, and the UH Environmental Center – have all faced challenges resulting from being underfunded, understaffed, and undersupported.

## **Discussion Regarding MACZAC's 2011 Work Plan**

### *MACZAC's 2011 CZM Thumbs Up Award*

This Award will be given annually, with 2011 being the inaugural year. The MACZAC members had previously decided that this year's Award would focus on local non-governmental organizations that have demonstrated outstanding support of Hawaii's CZM Program. The MACZAC members discussed their nominations for the 2011 Award, including: Ka Honua Momona, Malama Maunalua, Coral Reef Alliance, West Hawaii Fisheries Council, Ka Ohana O Honuapo, Hawaii Community Stewardship Network, and Mahuahua Ai O Hoi. Written votes were cast, with the winner selected to receive this year's award being Hawaii Community Stewardship Network, lead by Executive Director Debbie Gowensmith. Chair Robin Kaye volunteered to write the congratulatory recognition letter to Debbie, while member Henry Lau volunteered to write letters to all of the other nominees and to assist Robin in designing the Award's artwork. Members Sue Sakai, Makaala Kaaumoana and Rhoda Makanani Libre will present Debbie with the Award and a lei during the final plenary session at the HCPO Conference on Kauai on September 23, with Makaala volunteering to coordinate those details with Debbie. Chair Robin Kaye and member Weston Yap volunteered to draft a press release which can then be distributed by DBEDT to its media outlets. CZM Program Manager Leo Asuncion offered his assistance in coordinating with DBEDT on the press release. Moreover, the members decided that their website should have a page designated to the Award featuring the press release and information about each nominee.

### *Hotspot Issues, by Island*

As assigned at the last MACZAC meeting, each member provided a brief description of a hotspot issue from their island. Henry Lau from Maui mentioned the Hawaiian Islands Humpback Whale National Marine Sanctuary and also NOAA's proposal for expanded designation of critical habitat for the endangered Hawaiian Monk Seal statewide, as well as DLNR's recent extension of the restrictions on public access to the Ahihi-Kinaiu Natural Area Reserve due to the need to address impacts occurring to the resources within. Mike Gleason, having just flown in from Hilo, discussed the substantial mauka erosion and run-off that is smothering the coral reef system and which is visible from the air. Kimbal Thompson of Oahu, who had recently experienced a yachting disaster, mentioned the need for recreational boaters to be both better educated and also to be the recipients of better rescue services; Kimbal additionally noted that the School of Architecture at UH-Manoa was hosting a seminar on sustainable architecture. Jim Coon noted user conflict issues on Maui and Lanai, such as the dangerous situation between swimmers and boaters at Kaanapali Beach. Rhoda Makanani Libre of Kauai raised the issues of runoff, poaching, day-use moorings, GMOs, conservation zones, and the displacement of local residents. Mike Sabas of Molokai mentioned the desirability of the use of the ahupuaa concept for resource management, and noted the high incidence of illegal activities occurring within the SMA area (such as unpermitted grading that contributes towards erosion) and the concomitant need for increased education and enforcement. CZM Program Manager, Leo Asuncion, noted that the Molokai Planning Commission was currently in the process of amending their SMA rules. Sue Sakai of Oahu brought up issues of waste management, including that the Waimanalo Gulch Landfill is nearing capacity but every community has a NIMBY attitude about creating a new landfill, and also that there needs to be more public outreach to prevent harmful substances from entering storm drains. Makaala Kaaumoana of Kauai mentioned the unusual sediment on the island's north shore coming from local wetlands that is causing some coral die off, and

highlighted the Hanalei Resiliency Plan which is the first such community plan in the state. Robin Kaye of Lanai noted the growing controversy regarding user conflicts from stand up paddlers within the Hulopoe Marine Life Conservation District, and reported that the proposed wind energy project is polarizing the island's residents and questioned the impact of the undersea cables on the humpback whales' habitat within the sanctuary, as well as highlighted the limu planting restoration projects off Lanai conducted by kupuna and high school students. Donna Brown of Maui discussed the problem of nutrient-rich warm sewage from wastewater injection wells (many of which have expired permits) entering the coastal waters of Maui, which has been linked to incidents of algal blooms and coral reef degradation and has led to legal action against the County, an issue that Brian Hunter from DOH's Clean Water Branch also commented on. Relatedly, Hawaii CZM Planner Kenny Roberts noted that the Hawaii Watershed Guidance document was recently published by OP and is available on the CZM website.

#### *MACZAC's Investigative Working Groups*

The MACZAC investigative working groups include: Education and Outreach Working Group, Legislative Working Group, and Shoreline Access Working Group.

Robin Kaye, chair of the Education and Outreach Working Group, indicated that the group will be focusing on the 2011 CZM Thumbs Up Award, and also still needs to make some decisions regarding next steps for MACZAC's previously completed 2009 CZM Evaluation Report.

Jim Coon, chair of the Legislative Working Group, indicated that the group will have to keep abreast of what is in the hopper because they won't want to miss the opportunity to testify on relevant bills when the legislative session begins. CZM Program Manager Leo Asuncion offered to coordinate with Jim to keep the group informed of which bills CZM would be tracking and the Program's position.

As Andrew Argyris, chair of the Shoreline Access Working Group, was absent from the meeting, the only discussion centered around the suggestion that the group could perhaps collaborate with the State's Na Ala Hele program (Hawaii Trail System and Public Access Program established by DLNR).

#### *MACZAC's Website*

The MACZAC members discussed options for improving their website and other media outreach suggestions. The members had earlier decided that they would like to have an interactive website featuring statewide hotspot maps and videos. However, their previous website development budget proposals to OP have not been accepted so they do not yet have moneys for website and video development. MACZAC must first have its budget proposal accepted. It was debated whether MACZAC needed to develop its own website or could simply modify its existing webpage on the CZM website. The members discussed ideas of how their existing webpage could be redesigned and upgraded. Following up on her offer of assistance during the last MACZAC meeting, OP's Planning Program Administrator, Mary Lou Kobayashi, indicated that OP would be willing to provide in-house technical assistance to MACZAC and assured the members that OP would not exercise any censorship over MACZAC's webpage content. Some members emphasized how the group's lack of funding for the website redesign should not be a limiting factor for their website's evolution, suggesting free ideas such as providing links to relevant YouTube videos and members filming their own videos on each island, while other members questioned the resultant quality of such videos and members' availability of time to shoot the videos, instead suggesting that MACZAC contract to have a professional outreach video made. The MACZAC members took a vote on whether to write a funding proposal to OP for a professional video, with 9 members voting yes (Robin Kaye, Makaala Kaaumoana, Jim Coon, Kimbal Thompson, Mike Sabas, Henry Lau, Mike Gleason, Weston Yap, Sue Sakai), and 2 members abstaining (Donna Brown, Rhoda Makaanani Libre).

A new MACZAC Investigative Working Group was subsequently formed, the Website Working Group, comprised of members Makaala Kaaumoana, Weston Yap, Donna Brown, and Robin Kaye.

## **New Business**

### *Coastal Zone Management Act's 40<sup>th</sup> Anniversary*

The MACZAC members expressed their willingness to collaborate with CZM (and perhaps with NOAA) in finding ways to locally celebrate the 40<sup>th</sup> anniversary of the national CZM Act. Vice-chair Kimbal Thompson volunteered to take the lead to assist CZM in this regard. It should be a year-long celebration lasting throughout 2012. The 40<sup>th</sup> anniversary celebrations are seen as providing an opportunity for public education about ocean issues, for allowing people to tell their stories, and for measuring the preventive value of the effects of the CZM Act in Hawaii.

### *Letters to DLNR-DOBOR*

Member Jim Coon proposed that MACZAC write a letter to DOBOR regarding the March 2011 tsunami's damage to the Manele Small Boat Harbor's infrastructure on Lanai, and the resultant need for repairs to the vessel sewer pump out station there. Members unanimously agreed. Jim volunteered to draft the letter for chair Robin Kaye's signature.

Member Jim Coon also proposed that MACZAC write a letter to DLNR's DOBOR regarding the inadequacy of the buoys and signage for vessel ingress and egress at Kaanapali Beach on Maui, and the resultant adverse implications for swimmer safety. Members unanimously agreed. Jim volunteered to draft the letter for chair Robin Kaye's signature.

### *MACZAC Meetings for 2011*

The next MACZAC meeting will be held on Molokai, with a likely date of October 24. Member Mike Sabas of Molokai will help to coordinate the meeting.

### *HCPO Conference 2011*

Although MACZAC will not be having a meeting in conjunction with the HCPO Conference on Kauai this year, members Sue Sakai, Makaala Kaaumoana and Rhoda Makanani Libre will all be in attendance at the Conference anyway and can present MACZAC's 2011 CZM Thumbs Up Award to Debbie Gowensmith of the Hawaii Community Stewardship Network during the final plenary session.

## **Adjournment**

Chair Robin Kaye adjourned the meeting at 2:05 p.m.

July 28, 2011

To: Marine and Coastal Zone Advocacy Council (MACZAC)

From: Leo Asuncion  
Planning Program Manager  
Coastal Zone Management Program, Office of Planning



Subject: CZM Program Report to MACZAC

### **National Initiatives**

#### **Funding Allocation**

The Hawaii CZM Program received word on July 22, 2011 that FY11 funding allocation from NOAA was approved. As reported on June 1, 2011, the funding for the Hawaii CZM Program was reduced by 7.5% from FY10 levels generally due to reductions to the NOAA budget and the addition of Illinois to the CZM Program.

In terms of the FY12 National CZM Budget, the U.S. House of Representatives have taken the first step in the appropriation process and reduced the FY12 National CZM Budget by approximately 30%. The U.S. Senate's version of the Budget is pending.

#### **Performance Progress Reports**

Semi-Annual Performance Reports for our open grants (NA09 and NA10) are being filed electronically with NOAA by July 29, 2011. The NA08 Performance Report is due on September 28, 2011 as it will be a closing report.

#### **National Performance Measurement Project**

The National Performance Measurement Project is intended to track how well the CZM programs are achieving certain national CZM Act objectives. Data must be routinely collected, managed and reported in six categories: public access, coastal habitats, coastal hazards, coastal water quality, coastal community development, and coastal dependent uses and government coordination and decision-making. As a new task, the Hawaii CZM Program will identify goals, objectives, performance measures and numerical targets to be used for Section 312 evaluations. Draft metrics are due May 31, 2012.

#### **National Ocean Policy**

This is a Presidential initiative under the guidance of the National Ocean Council. The initiative includes specific tasks of Coastal and Marine Spatial Planning (CMSP) and Regional Ocean Partnerships (ROP). The Hawaii CZM Program has moved forward in the development of ROP, working with U.S. Pacific Islands of American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands (CNMI), in establishing a Pacific Regional Ocean Partnership (PROP). Also, the Hawaii CZM Program has responded to a NOAA Federal Funding Opportunity to seek funding for a Hawaii Sub-Regional Ocean Partnership; while SSRI is seeking funding for the PROP on behalf of the U.S. Pacific Islands.

In terms of the CMSP, the Hawaii CZM Program is in the process of scoping requirements for CMSP and envisioning that CMSP will be an implementation task of the Updated Hawaii Ocean Resources Management Plan (ORMP).

## Upcoming Projects

### Climate Change

Section 309 - Project of Special Merit. The Hawaii CZM Program is preparing a Statewide Climate Change Policy, which is proposed to be incorporated into the Hawaii State Plan (HRS Chapter 226), Part III, as a new Priority Guideline (similar to the Sustainability Priority Guideline signed into law by Gov. Abercrombie this June). To prepare and receive input for the proposed Climate Change Policy, the Hawaii CZM Program, U.S. Army Corps of Engineers, and NOAA will be holding a two-day workshop in August. ORMP Policy Group and Working Group members, as well as stakeholders will be invited to participate in the workshop. As a result of the workshop, a draft policy will be prepared for review by the end of August, and the finalized version will be included in the Administration's Legislative Package by the end of September.

### Ocean Resources Management Plan (ORMP) Update

Section 309 - Five-Year Enhancement Project. An update of the ORMP will kick-off in August 2011. The update of the ORMP envisions elevating ocean resources management as a priority for the State in order to obtain financial and other support. The review of the current ORMP will focus on its strengths, constraints and obstacles in order to provide the foundations for new or revised policies. Review of the current ORMP will be performed through facilitated discussions with MACZAC and ORMP Policy and Working groups, as well as statewide public hearings. A Draft Updated ORMP is targeted to be available in June 2012.

### Alternative Financing for Shoreline Public Access

Section 309 - Five-Year Enhancement Project. This project will research, identify, and propose innovative funding techniques to obtain, protect and maintain shoreline access. Preliminary scoping and research is currently on-going.

## Ongoing Projects

### Nonpoint Source Pollution Control

To date, 87 copies of the electronic version of the Watershed Planning Guidance have been downloaded and 70 hard copies were distributed to various community organizations, agencies and jurisdictions. To continue outreach of the Guidance, presentations are scheduled to be made at Coastal Zone Conference 2011 (CZ11) in Chicago, and locally at the Hawaii Conservation Conference (HCC) and Hawaii Congress of Planning Officials (HCPO) Conference. Copies of the Guidance will be available at the HCC and HCPO Conference.

### Coastal Hazards

Hazard Wheel: Reprinted CZM Hazards Wheels are now available. Distribution to various Hawaii CZM Partners, civil defense and other stakeholders has been made.

### Coastal and Estuarine Land Conservation Program (CELCP)

An application for acquisition of Paukukalo Wetlands, Maui is being re-submitted for FY12 funding.

### Section 309 Coastal Hazards Strategy – Design Guide to the State of Hawaii Wind Engineering Provisions

The Hawaii CZM Program is awaiting the final draft of the design guide from the State Building Code Committee.