

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

October 26, 2012
9:30 am – 3:00 pm
Hawaii Office of Planning (OP), Conference Room
235 South Beretania Street, 6th Floor
Honolulu, Hawaii 96813

MINUTES

ATTENDANCE

- Members Present: Donna Brown, Jim Coon, Dawn Hegger, Robin Kaye, Sue Sakai, Kimbal Thompson, Rhoda Makanani Libre, Phil Fernandez
- Members Absent: Bryan Mamaclay, Michael Sabas, Michael Gleason
- OP/CZM Staff Present: Leo Asuncion, Jonathan Lorentzen, Marnie Meyer, Lynn Sumida
- Others Present: Brian Hunter (DOH), April Coloretti (SSFM International Inc.), Melissa Iwamoto (SOEST), Suzanne Frazer (B.E.A.C.H.), Dean Otsuki (B.E.A.C.H.)

DISTRIBUTED MATERIAL

- MACZAC Meeting Agenda for October 26, 2012
- Minutes from August 24, 2012 MACZAC Meeting [draft]
- CZM Report to MACZAC (10/26/12)
- Ocean Resources Management Plan [draft] [Agenda Item IV]
- “Issues Raised in Kona” handout [Agenda Item IV]
- “Japan Tsunami Marine Debris” [<http://hawaii.gov/dlnr/chair/pio/nr/2012/NR12-135.pdf>]
- “40 Years of Marine Sanctuaries Worth Celebrating”
[<http://www.staradvertiser.com/s?action=login&f=y&id=175118611>]
- “Hawai‘i Adopts Statewide Climate Change Adaptation Policy”
[<http://coastalmanagement.noaa.gov/news/docs/czmnewssept12.pdf>]
- “Miami Beach wades into sea level rise” [<http://miamitodaynews.com/news/120823/story2.shtml>]
- "A critical resource for America’s economy": New short film series focuses on ocean planning
[<http://seagrant.gso.uri.edu/showcase/index.html>]
- “Oyster industry struggles to adapt to climate change” [<http://www.mnn.com/earth-matters/climate-weather/stories/oyster-industry-struggles-to-adapt-to-climate-change>]
- “Nature Conservancy Unveils Super Sucker II”
[<http://www.nature.org/ourinitiatives/regions/northamerica/unitedstates/hawaii/newsroom/super-sucker-ii-launch.xml>]
- “U.S. EPA awards Hawaii over \$20 million to improve water quality, protect public health” [U.S. EPA awards Hawaii over \$20 million to improve water quality, protect public health]
- “Another one bites the bait” [http://thegardenisland.com/news/local/another-one-bites-the-bait/article_8eec8b9611ef-11e2-8616-0019bb2963f4.html]

- “NOAA’s National Marine Sanctuaries: Preserving and Protecting Oceans’ Natural Treasures” [<http://www.hawaiireporter.com/noaas-national-marine-sanctuaries-preserving-and-protecting-oceans-natural-treasures/123>]
- “Voyager’ interactive online mapping platform available to ocean users” [<http://www.hawaiireporter.com/voyager-interactive-online-mapping-platform-available-to-ocean-users/123>]
- “Record-breaking water temperatures off mid-Atlantic and Northeast coasts” [http://www.washingtonpost.com/blogs/capital-weather-gang/post/record-breaking-water-temperatures-off-mid-atlantic-and-northeast-coasts/2012/09/24/58624eba-0675-11e2-a10c-fa5a255a9258_blog.html]
- “Arctic Ice Melt, Sea Level Rise May Pose Imminent Threat To Island Nations, Climate Scientist Says” [http://www.huffingtonpost.com/2012/10/05/arctic-ice-melt-sea-level-rise_n_1942666.html?utm_hp_ref=green]
- “A Dark Cloud and a Silver Lining for the World’s Fisheries” [<http://science.time.com/2012/10/02/a-dark-cloud-and-a-silver-lining-for-the-worlds-fisheries/?iid=sci-article-mostpop1>]
- “Protecting the Bay” [Big Island Traveler Magazine, October 2012]
- “Tara Oceans project discovers preponderance of plankton - and plastic” [http://www.cbsnews.com/8301-505263_162-57521226/tara-oceans-project-discovers-preponderance-of-plankton-and-plastic/?tag=reddit]
- “Maui Island Plan growth boundaries approved” [<http://mauinews.com/page/content.detail/id/566306/Maui-Island-Plan-growth-boundaries-approved.ht>]

Call to Order

Chair Sue Sakai called the meeting to order at 9:30am and welcomed everyone. All those present briefly introduced themselves.

New MACZAC Member, Phil Fernandez, the council’s new West Hawaii representative, introduced himself and provided the meeting attendees with a brief professional summary.

Approval of the August 24, 2012 Meeting Minutes

The August 24, 2012 Meeting Minutes were unanimously approved by all the present members.

Hawaii Coastal Zone Management Report

Leo Asuncion, CZM Program Manager, provided the members and those present with a summary of his attached CZM report to MACZAC. Mr. Asuncion began by providing an update on the Hawaii Sub-regional Ocean Partnership (Hawaii Sub-ROP). Approval for the Sub-ROP to be implemented through a work agreement with RCUH has been obtained and an Administrative Assistant, Ms. Lynn Sumida, has been hired while the Project Coordinator will be hired shortly. Mr. Asuncion also noted that the Pacific Regional Ocean Partnership (PROP) held a meeting in Honolulu on October 4th to discuss focus issues for the coming year – Climate Change Adaptation and Coastal & Marine Spatial Planning.

To honor the 40th Anniversary of the National Coastal Zone Management Act, Mr. Asuncion happily announced that Governor Neil Abercrombie would be presenting a Proclamation and Ceremony proclaiming October 27, 2012 as Coastal Zone Management Day in Hawaii. Mr. Asuncion continued that the ceremony would be held later in the morning in the Governor’s Office at 11:30am.

The Draft ORMP Update Report was made available on-line on October 12, 2012, noted Mr. Asuncion. Furthermore, the second round of Public Listening Sessions began with presentations in Hilo and Kona earlier in the week.

The Office of Planning has contracted with the University of Hawaii’s Economic Research Organization (UHERO) to complete a study “Scoping the Value of the SMA Permit and Shoreline Setback Variance.” Mr. Asuncion explained that this study will provide economic methodologies that the Office of Planning will use to

determine the value that the SMA permit and Shoreline Setback Variance has on key CZM areas like public access, shoreline protection, and marine resources.

A request for proposal (RFP) for the Stormwater Impact Assessment Project (Phase III) was issued on September 7, 2012, explained Mr. Asuncion, and four companies have submitted proposals. Mr. Asuncion explained that the proposals are currently being reviewed by a panel of OP Staff and a consultant will be chosen by next week. This final phase of the project incorporates work completed in earlier phases to develop a guidance manual and training curriculum for government and private sector employees involved in mitigating negative effects of stormwater runoff.

Mr. Asuncion noted that unfortunately no essays for the 40th Anniversary Essay Contest were submitted by the September 21, 2012 deadline.

Lastly, Mr. Asuncion explained that the Office of Planning is currently awaiting NOAA approval of Governor Abercrombie's request to re-establish a National Estuarine Research Reserve (NERR) somewhere in the Hawaiian Islands.

Update on the Hawaii Ocean Resources Management Plan

April Coloretti, from SSFM International, provided members and meeting attendees with a copy of the Draft ORMP Update Plan as well as a chart outlining the input that was received at the public listening session at Kona, HI earlier in the week. Ms. Coloretti thanked all of the members and partner organizations for their inputs so far on the ORMP and noted that all feedback on this initial draft must be submitted before the end of January, when the 2nd draft is planned to be finalized.

According to Ms. Coloretti, a key area of concern for the final ORMP is the assurance that agencies do not have impassible goals. Although appendices outlining changes to the ORMP have been added to the draft to better engage the public, Ms. Coloretti stressed the importance of having goals be clarified to ensure the success of the plan with agencies and the public. Leo Asuncion agreed on this point and noted that chapter 6 is the key focus of review and input from the public and partner agencies.

Robin Kaye, MACZAC's Lanai Representative, asked whether two Lanai issues (the overpopulation of sea turtles on the island and the undersea cable from Lanai to Oahu) would be included in the update. Ms. Coloretti explained that every island will have a chart of issues and ORMP solutions of those issues in the finalized ORMP. Ms. Coloretti continued to say though that the undersea cable issue, because of its infancy, will only be included in the final ORMP if enough information can be obtained before it is drafted.

In concluding her presentation, Ms. Coloretti reminded everyone that all videos and comments from the first round of ORMP public hearings are now on the ORMP website at: http://hawaii.gov/dbedt/czm/ormp/ormp_update_draft.php. Ms. Coloretti also went over the schedule of public listening sessions for the second round of ORMP presentations this November.

Presentation on PacIOOS Voyager

Melissa Iwamoto, PacIOOS Outreach and Program Coordinator, briefly introduced the PacIOOS system and provided an introductory demonstration of the program's capabilities. Ms. Iwamoto went through the regional reach of the program, the layering options of maps, and other aspects of PacIOOS. Ms. Iwamoto concluded her presentation by noting that two PacIOOS webinars will take place on October 29, 2012 and November 19, 2012.

Highlighting Critical Marine and Coastal Hotspot Issues by Island

Oahu – MACZAC member Dawn Hegger said that the rail project’s court decision on State Historic Preservation Division (SHPD) approval has caused the project to be delayed. Ms. Hegger also noted that the Honolulu Authority for Rapid Transportation (HART) is also vacating its permits.

Kauai – MACZAC member Rhoda Makaanani Libre first noted that boating issues continue in West Kauai. Ms. Libre mentioned that there have been problems with Ultralights (gliders) in the area near Salt Ponds (Upolu Pt.) recently. The other week, an Ultralight crashed near the Salt Ponds and although some injuries were sustained, the site was quickly cleared up (but not mentioned in the local newspapers). Ms. Libre closed by saying that, as a result of the crash and Ultralight traffic, there have been discussions concerning whether Ultralights are even permitted to be in the area.

Lanai – MACZAC member Robin Kaye discussed the abuse of park resources by non-paying tour boat operations from Maui. Apparently, the park which is privately owned (part of Manele Bay Hotel amenities but open at no charge to Lanai residents) and adjacent to the beach at Hulopoe Bay, is maintained by park fees paid by tour boat operators that dock at Hulopoe Bay (Jim Coon, owner of Trilogy noted that he pays upwards of \$100,000 per year in park fees and he is the only operator paying the fees). The park fees pay for maintenance and upkeep of the park and its facilities (i.e., park benches, picnic areas, showers, etc.), as well as park security and a monitor to be at the park daily. The non-paying boat operators dock at Hulopoe Bay and let their customers know that they can cross through the park to get to the adjoining beach. They also inform their customers that they can use park facilities. The park and its facilities are starting to show signs of decay and the park itself is usually overcrowded with tour boat customers on weekends, thus not allowing Lanai residents to enjoy the park. Mr. Kaye also mentioned that the near misses of divers by boaters and thrill-craft riders continue to occur.

Maui – MACZAC member Donna Brown informed other MACZAC members that a sea wall has been built (for emergency repairs to Honoapiilani Highway) on the west side of Maui and a huge sediment plume is now evident in near shore waters. Ms. Brown said that this sediment plume will certainly kill the pristine coral reef in the area. Ms. Brown also mentioned that the Oluwala project continues to proceed, although it is inconsistent with the County's community plan for the area.

Maui – MACZAC member Jim Coon announced that a meeting with William Aila concerning the Governor's Emergency Declaration for roadway repairs was held on September 13th. The meeting involved primarily supporters of protecting the coral reef in the area and Mr. Coon was invited to the meeting to represent the boating community.

At Honolua Bay, Mr. Coon noted that more day use moorings are needed. Currently, only 3 boats are able to moor at the bay, although there is space for 10 boats (Mr. Coon provided handouts to verify this point). The lack of moorings impacts charter boats as it limits who can use the bay (mooring is regulated on a permit and first come, first served basis). Because of this, charter boats that are not one of the first three into the bay drop their anchors along the bay’s access point, which is most likely destroying coral reef in the area. Therefore, Mr. Coon noted that enforcement and access to the bay needs to be addressed.

Mr. Coon also noted that the Pump-Out Facilities (for boat sewage) at Lahaina Harbor are still a concern. Currently, there are two pumps - one that is perennially broken, and one that pumps very slowly. Trilogy (Mr. Coon’s company) and other boaters currently hire pump trucks to come to the harbor so they can pump out. Mr. Coon suggested that an alternative is to have a trailer boat with a mobile pump available; however, such an action would be viewed as a commercial operation and there are only a limited amount of

commercial permits issued at each boat harbor. Ms. Hegger, Oahu MACZAC member, suggested an amendment to the law to allow for the creation of additional commercial permits or to allow Oahu registered pump boats to operate at Lahaina Harbor.

Lastly, Mr. Coon mentioned that injection wells impact to coastal waters is something to monitor.

Kona – MACZAC member Phil Fernandez, covering Upolu to South Point on the Big Island, noted that permits were recently pulled from kayak tour company. The reasoning behind pulling the permits was not because the tour company violated conditions of its permit, but rather because of the inability of DOCARE (Division of Conservation and Resources Enforcement) of DLNR to enforce acceptable operating conditions.

Similarly, Mr. Fernandez also mentioned that the inability of enforcement of conditions or mandates has closed North Kona waters for fishing (in the Kaupulehu area), which in turn has prohibited subsistence/cultural fishing. Mr. Fernandez pointed out that the closing of waters for fishing was led by the developers of Hualalai and Kukio. The banning of uses of the ocean area at Puako is also being considered.

Lastly, Mr. Fernandez briefed the other MACZAC members on The West Hawaii Fisheries Council's (WHFC) creation of nine FRAs (Fish Replenishment Areas). This will require a complete revision of fisheries rules (i.e., to ban SCUBA spear fishing in the FRA, etc.) The issue at hand is that the quorum of the WHFC is now one-sided since half of the council vacated their seats due to the creation of the FRAs.

MACZAC Working Groups

CZMA 40th Anniversary Ocean-Themed Essay Contest

Mr. Asuncion explained that there were no essay contest results because no essays were ever submitted. Ms. Suzanne Frazer, Beach Environmental Awareness Campaign Hawaii (B.E.A.C.H.), noted that the essay contest was simply listed on the DOE website and was not marketed well. Mr. Asuncion agreed but noted that the contest cannot be directly marketed to teachers by the Office of Planning or the DOE. It is up to the teacher to decide which contest or event he or she will allow students to participate in.

Education and Outreach Working Group

Mr. Coon introduced the ORMP to Lahaina Harbor Committee and was surprised to learn that hardly any of the Committee members had heard of the document. Mr. Coon noted that he will continue outreach efforts with the Lahaina Harbor Committee to better promote the ORMP.

Shoreline Access Working Group

The Shoreline Access Working Group had nothing to report.

Website Working Group

The Website Working Group had nothing to report.

B.E.A.C.H Information Session on Radioactive Marine Debris

Ms. Suzanne Frazer and Mr. Dean Otsuki from B.E.A.C.H. presented their concerns over the lack of testing by DOH for radiation on beaches in Hawai'i with marine debris as debris from Japan's Fukushima disaster continues to show up in Hawaiian waters. Ms. Frazer noted that of the 12 sites on Oahu that have been tested, only three are located where marine debris is found (on the windward side) and none of these three are

areas with the greatest accumulations of marine debris on Oahu. Areas on Oahu with the greatest accumulation of marine debris have not been tested at all. On Hawai'i Island, the testing has missed all of the beaches that accumulate marine debris, and on Lanai and Molokai, there has been no testing for radiation on any beach. Ms. Frazer expressed grave concern for the need to test the radiation levels on beaches that accumulate marine debris since 80% of the Fukushima nuclear fallout ended up in the ocean. Furthermore, Japan is continuing to dump radioactive water into the ocean. Both Mr. Otsuki and Ms. Frazer noted that they have contacted both DOH and DLNR but neither agency is willing to go to the beach when clean-up volunteers are there to test for radiation on marine debris. For the safety of all the volunteers and beach visitors, Ms. Frazer asked MACZAC if there is anything the council could do to assist in this issue.

Mr. Asuncion noted that DOH would probably require additional funding to purchase radiation equipment and pay for sweeps (operation costs, overtime-time pay for weekend sweep labor, etc.). Cost is the determinant factor and neither DOH nor DLNR have the budget to perform all-inclusive sweeps.

Ms. Hegger suggested that B.E.A.C.H. explore the possibility of partnering with a UH professor and UH students to test sites and gain credibility in determining the real radiation levels of Oahu's beaches. Only with legitimate scientific data will DOH or DLNR be inclined to assist with sweeps in a greater capacity. Mr. Fernandez and Ms. Sakai, MACZAC Chair, agreed on the need for preliminary radiation tests before requesting government support.

Ms. Libre motioned for MACZAC to write a letter to DOH or DLNR notifying them of the need for a greater radiation study of Hawaii's beaches. Ms. Hegger volunteered to write the letter. The motion was unanimously carried by the MACZAC members present.

New Business

Mr. Asuncion noted that the Office of Planning is rethinking the streamlining of the SMA Bill based on State agency input thus far. Mr. Asuncion also mentioned that there are rumors of Public Land Development Corporation (PLDC) amendments.

Ms. Libre informed all those present that the Mayor of Kauai, Bernard P. Carvalho, has adopted a resolution to repeal Act 55 which created the Public Land Development Corporation and gave it powers to allow commercial development on public lands while circumventing county zoning laws.

Ms. Sakai and Mr. Kaye discussed the need for the Legislative Working Group to begin preparing for the 2013 Legislative session and coordinate Legislative visits.

Next Meeting

The next MACZAC Quarterly Meeting is scheduled for Monday, January 28th, 2013.

Adjournment

MACZAC Chair, Sue Sakai, adjourned the meeting at 3:00pm