

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

Monday, October 28, 2013  
9:30 am - 2:30 pm  
Office of Planning's Conference Room  
235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813

**SUMMARY MINUTES**

**ATTENDANCE**

- Members Present: Donna Brown, Rich Brunner, Jim Coon, Phil Fernandez, Robin Kaye, Mike Sabas, Susan Sakai, Craig Severance, Kimbal Thompson
- Members Absent: Shaylyn Kimura, Rhoda Makanani Libre
- OP-CZM Staff Present: Leo Asuncion, Justine Nihipali, Lynn Sumida
- Others Present: Douglas Tom, Charles M. Kaaiyai (Western Pacific Regional Fishery Management Council), Ian Duncan (State Civil Defense)

**DISTRIBUTED MATERIAL**

- MACZAC Meeting Agenda for October 28, 2013
- Minutes from August 19, 2013 MACZAC Meeting [draft]
- October 28, 2013 CZM Report to MACZAC
- “Arctic methane release could cost economy \$60 trillion -study” -  
[<http://www.reuters.com/article/2013/07/24/arctic-methane-idUSL6N0FT1PU20130724>]
- “Scottish scientists launch crowd-funding for robots that repair coral reefs” -  
[<http://www.caribbeannewsnow.com/topstory-Scottish-scientists-launch-crowd-funding-for-robots-that-repair-coral-reefs-15745.html>]
- “Moving Beyond Climate Change Plans to Action Challenges State, Counties” –  
[[http://www.environment-hawaii.org/archives\\_summary.php?id=2129\\_0\\_41\\_0\\_M](http://www.environment-hawaii.org/archives_summary.php?id=2129_0_41_0_M)]
- “In Hawai`i, a Long History of Plans for a Changing Climate, Few Actions and State Leaders Underscore Priority of Dealing with Water, Climate.” –  
[<http://www.environment-hawaii.org/>]
- “DLNR to Create a Trust Fund For Coral Reef Restoration” -  
[[http://www.environment-hawaii.org/home\\_more.php?id=1995\\_0\\_2\\_0\\_M](http://www.environment-hawaii.org/home_more.php?id=1995_0_2_0_M)]
- “Matson, state lacked molasses spill plans” –  
[<http://www.staradvertiser.com/s?action=login&f=y>]
- “Kalia Marketplace work will resume” – [<http://www.staradvertiser.com/s?action=login&f=y&id=226559441>]
- “Can a Cellphone App Help Hawaii’s Opihi?” –  
[<http://hawaii.news.blogs.civilbeat.com/post/63763914459/can-a-cellphone-app-help-hawaiis-opihi>]
- “Kauai County Crosses the Rubicon, Council Passes Pesticide and GMO Bill” –  
[<http://www.civilbeat.com/articles/2013/10/16/20164-kauai-county-crosses-the-rubicon-council-passes-pesticide-and-gmo-bill/>]
- “Molokai Clean Energy Initiative Unveiled” –

- [<http://www.civilbeat.com/voices/2013/09/13/19869-molokai-clean-energy-initiative-unveiled/>]
- “Submarine canyons a source of marine invertebrate diversity, abundance” - [<http://manoa.hawaii.edu/news/article.php?aId=5928>]
- “Does Hawaii's Failure to Enforce Pesticide Use Justify Action by Kauai?” – [<http://civilbeat.us1.listmanage1.com/track/click?u=e23104acf3e9c0a23f9d89163&id=6c9564d8f1&e=b3e41770fb>]
- “Laie Fisherman Sentenced For Operating His Vessel Within A Restricted Area of Waimea Bay” – [<http://dlnr.hawaii.gov/dobor/2013/09/27/nr13-116b/>]
- “Man sentenced for illegally driving boat into Waimea Bay” – [<http://www.hawaiinewsnow.com/story/23553329/man-sentenced-for-illegally-driving-boat-into-waimea-bay>]
- “Contract award expected soon for 50MW geothermal project on Hawaii’s Big Island” - [<http://www.bizjournals.com/pacific/news/2013/09/13/contract-award-expected-soon-for-50mw.html?s=print>]
- “One year after Lanai purchase, governor calls Ellison's efforts 'terrific' ” – [<http://www.hawaiinewsnow.com/story/22616084/one-year-after-lanai-purchase-governor-calls-ellisons-efforts-terrific>]
- “Huge molasses spill in Hawaii kills thousands of fish” – [<http://www.foxnews.com/us/2013/09/12/huge-molasses-spill-in-hawaii-kills-thousands-fish/>]
- “Mana March draws thousands” – [[http://thegardenisland.com/news/local/mana-march-draws-thousands/article\\_04ff6c36-190b-11e3-b902-001a4bcf887a.html](http://thegardenisland.com/news/local/mana-march-draws-thousands/article_04ff6c36-190b-11e3-b902-001a4bcf887a.html)]
- “Climate change while Congress sleeps Barack Obama offers stopgap measures to slow global warming” - [<http://www.economist.com/news/united-states/21580186-barack-obama-offers-stopgap-measures-slow-global-warming-while-congress-sleeps/print>]
- “Climate-Change Policy In America, Europe, And China” – [<http://www.businessinsider.com/climate-change-policy-in-america-europe-and-china-2013-6>]
- “Feds study humpback whale endangered list removal” – [<http://www.staradvertiser.com/news/breaking/221857731.html?id=221857731>]
- “Will the Changing Energy Landscape Spark Biofuel Buyer’s Remorse?” – [<http://www.civilbeat.com/articles/2013/08/26/19750-will-the-changing-energy-landscape-spark-biofuel-buyers-remores/>]
- “Mayor explains goals for Pali to Puamana Coastline Park” – [<http://www.lahainanews.com/page/content.detail/id/509844/Mayor-explains-goals-for-Pali-to-Puamana-Coastline-Park.html?nav=19>]
- “Does the state’s new \$7 million seawall at Ukumehame work?” – [<http://www.lahainanews.com/page/content.detail/id/509819/Does-the-state-s-new--7-million-seawall-at-Ukumehame-work-.html?nav=19>]

**I. Call to Order**

Chair Sue Sakai called the meeting to order at 9:43 am and welcomed everyone. All those present briefly introduced themselves.

**II. Approval of April 15, 2013 Meeting Minutes**

The August 28, 2013 Meeting Minutes were unanimously approved by all members present.

**III. Hawaii Coastal Zone Management (CZM) Program Report**

Leo Asuncion, CZM Program Manager, welcomed the group and provided a summary of the attached CZM report highlighting the following:

### National Initiatives:

- The CZM Program is tracking the proposed FY14 budget where National Coastal Zone Program funding is again being threatened. The CZM Program was not impacted by the recent federal government shutdown.
- The Office of Planning (OP) and the Department of Land and Natural Resources (DLNR) has provided input on proposed National Oceanic and Atmospheric Administration (NOAA) Habitat Blueprint Initiative sites in Hawaii (Heeia, Auau Channel, and North Kohala). In addition, three proposed sites were also developed for American Samoa, three for Guam, and three for the Commonwealth of the Northern Mariana Islands. Among these twelve proposed sites, it is anticipated that NOAA will select a project site in the Pacific Region by the fourth quarter of this year, with other sites selected across the nation throughout this year. As this federal initiative in Hawaii is in its early stages, additional information can be found online at <http://www.habitat.noaa.gov/habitatblueprint/>.

### CZM Program Initiatives:

- With Governor Abercrombie endorsing the updated Ocean Resources Management Plan (ORMP) on July 25, 2013, development of a governance agreement is underway for the establishment of the Hawaii Sub-Regional Ocean Partnership and the formation of action teams to work on the achievement of goals. The agreement was developed by members of the ORMP Working Group, and has been forwarded to the ORMP Policy Group. A Policy Group meeting is scheduled for November 27, 2013, to discuss the governance agreement.
- With the assistance of CZM Program staff, MACZAC is encouraged to continue the discussion on how it can be involved with implementation of the ORMP. In an effort to be “green,” the ORMP can be viewed and downloaded at [http://files.hawaii.gov/dbedt/op/czm/ormp/ormp\\_update\\_reports/final\\_ormp\\_2013.pdf](http://files.hawaii.gov/dbedt/op/czm/ormp/ormp_update_reports/final_ormp_2013.pdf).

### Alternative Funding Mechanisms for Acquisition and Maintenance of Shoreline Public Access

- This project will be started with a project advisory committee meeting scheduled for November 1, 2013. MACZAC Chair, Sue Sakai, has graciously volunteered to sit on the advisory committee for the time being. PBR Hawaii is the consultant for this project, and points of contact are Roy Takemoto, Catie Cullison, and Bethany Wylie. This project is in the research phase and is anticipated to develop recommendations for alternative funding mechanisms for shoreline public access in the coming months, and be completed by June 2014. CZM Program staff contact is Nathalie Morison.

### National Estuarine Research Reserve in Hawaii

- The Hawaii National Estuarine Research Reserve (NERR) site determination/nomination process has progressed with the final selection to be forwarded to Governor Abercrombie for nomination to NOAA.
- The Site Selection Committee met on August 27, 2013 to review proposals and all supplementary documents. Committee members also listened to the site proposers’ presentation on their sites, which highlighted strengths and addressed any comments the Site Evaluation Committee had developed during their initial evaluation of the site proposals. After hearing the presentations and receiving responses to questions raised, the Committee members and OP compiled the scores in relation to the site selection criteria. The final scores were audited and the final determination of the preferred site for nomination to become Hawaii’s NERR is Heeia Estuary in Kaneohe Bay, Oahu. For more information on the site proposal process, please see <http://planning.hawaii.gov/czm/initiatives/nerrs-site-proposal-process/>.

- Next step for the nomination process is to hold a public meeting in the vicinity of the preferred site to obtain community input on the site. OP-CZM intends for Governor Abercrombie to meet with stakeholders/partners, and to open the public meeting. Due to the recent federal government shutdown, NOAA was not able to publish notice of the public meeting in the Federal Register; thus, a date in early January 2014 is being sought, in coordination with the Governor's schedule.
- Upon nomination and approval of the preferred site to NOAA, a Management Plan and a National Environmental Protection Act (NEPA) document will be developed by the CZM staff over the next year, with assistance from consultants and NOAA. For more information on the NERRS program, please see <http://www.nerrs.noaa.gov/>.

#### **IV. Hawaii Ocean Resources Management Plan (ORMP) Status of Implementation**

MACZAC members are encouraged to bring hardcopies or electronic versions of the ORMP: [http://planning.hawaii.gov/wp-content/uploads/2013/08/final\\_ormp\\_2013\\_cover-230x300.jpg](http://planning.hawaii.gov/wp-content/uploads/2013/08/final_ormp_2013_cover-230x300.jpg).

Justine Nihipali of the CZM Program provided the members with the following ORMP update:

In preparation for the November 27, 2013 Policy Group meeting, a draft governance agreement was developed by members of the ORMP Working Group (WG), and has been forwarded to the ORMP Policy Group. WG members were encouraged to discuss their agencies' technical assistance needs and to begin discussing internal priorities that may align with implementation of the ORMP.

As a jump-start in an ORMP outreach activity, Jim Coon, MACZAC's member from Maui, requested 500 one-page ORMP fact sheets to be created for distribution during a Thanksgiving turkey give-away program on Lanai, to be held on November 23, 2013. Over a thousand turkeys will be given away during this annual event which started 20 years ago. Almost all of Lanai's community will be there, along with a visit from Governor Neil Abercrombie. Robin Kaye, MACZAC's Lanai member, will also be distributing these handouts and promoting the updated ORMP at this event.

Douglas Tom suggested that an ORMP public outreach at the Hana Limu Festival on November 9, 2014, would be well received.

Chair Sakai described MACZAC's role as a partnership or support, not as a lead agency. Over the next six months, once priorities have been established, MACZAC will be contacted for assistance through education, training, legislation, or other roles as needed. She noted that educating ourselves, agencies, and legislators is an ongoing process. She encouraged MACZAC members to become familiar with Management Priorities #8, #9, and #10. Further discussion on the ORMP implementation led to the following suggestions:

- Hardcopies and electronic versions of the ORMP should be made available at all public libraries and universities.
- It would be extremely helpful to have a matrix that explains MACZAC's specific roles/expectations and specific action items in each of the eleven management priorities. This would serve as a good reminder as well as a dashboard to be reviewed annually.

MACZAC members emphasized the need for agencies and the public to learn and understand community-based management.

- Kaupulehu and other communities on the Big Island appear to be restricting public access by proposing to restrict activities in those public areas; they are not sharing information with the community and appear to be proposing their own access rules.
- Building trust, building respect, identifying stakeholders, being inclusive rather than exclusive, building relationships, developing common goals, sharing ideas and resources, setting up structure and processes are needed.
- MACZAC member Jim Coon commented that in past meetings between the Division of Boating and Ocean Recreation, and the community, shouting matches have resulted with very little progress. Capacity building and paradigm shifts are needed.

## V. Public Input

The following comments were received by the public:

Ian Duncan, State Civil Defense, noted that in their hazard mitigation, hurricane evacuation, and climate change programs (similar topics as listed in the ORMP), their initial approach is to engage parents in elementary schools. Engaging parents in their children’s safety created highly successful outreach and educational programs.

MACZAC member Phil Fernandez of the Big Island added that in civil defense, there are no controversies when it comes to safety. In the ORMP, when dealing with ocean resources, there is conservation on one side and ocean users on the other side. Historically, it has been contentious. The level of outreach is more difficult dealing with ocean resource management issues.

MACZAC member Robin Kaye noted that we need to think about how to make it personal; how to get the word out to all the fishermen on a personal level.

Mr. Tom noted that bureaucracies are functional – one of the things that may not be overcome. The key to success is to use the ORMP in a more integrated perspective when coming up with a concept of partnerships.

- He commented that the beauty of the ORMP concept is that Hawaii’s heritage is the ocean. The ORMP goal can provide a purpose and a sense in explaining how the ocean affects us all. However, the benefits are not clearly identified.
- Globally, people are harvesting more food from the ocean than from the land. When you look at India and China’s huge stake in their dependence of the ocean as their “icebox” to harvest food, the ocean becomes even a bigger “icebox” for the world. The ORMP can fill a void and is probably the most important document in the State.
- Mr. Tom closed by emphasizing the need to use pictures and images to send a very clear and powerful message.

Mr. Duncan noted that publications like coloring books for kids, disaster supply checklists, and similar planning guides are commonly offered to communities. Disaster planning for people with disabilities and other special needs, including the elderly, are important to consider when reaching out to communities on every island.

MACZAC member Robin Kaye requested that the Civil Defense Agency visit Lanai to offer educational outreach to his community on disaster preparedness.

A final note by Mr. Asuncion was brought up relating to climate change adaptation. Kem Lowry, professor of the Urban and Regional Planning Department at University of Hawaii Manoa, is piloting a climate change module that could be applied in community or development plans. As an example, when a natural

disaster occurs due to sea level rise, what should the community do to assist people in a nursing home? What does the community have in its power to control and assist?

- Mr. Kaye responded that such a pilot module could be beneficial for the Island of Lanai's 20-year Community Plan Update process. He stated that now would be an appropriate time to raise the awareness of a climate change adaptation module into Lanai County's planning process. For more information on the Lanai Community Plan Update 2013, please see <http://www.co.maui.hi.us/index.aspx?NID=1685>.

Charles Kaaiai, Western Pacific Regional Fishery Management Council, emphasized the importance of communicating the ORMP results and feedback to the communities.

- In order to get the community involved, prioritization of the problems is needed, but this whole process can take years. You have to plan for community engagements, address the statute and mandates, and plan around a 12-month funding process.
- He shared a success story of how the Quinault Indian Nation (QIN) built community capacity and civic participation when they moved their traditional lower village to an elevation above the tsunami inundation zone. For more information on community-based visioning, please see [http://www.forterra.org/files/pdfs/Quinault\\_Project\\_Summary.pdf](http://www.forterra.org/files/pdfs/Quinault_Project_Summary.pdf).

Mr. Kaaiai noted that the Hana Task Force and Kaneohe Bay Task Force are gaining new interest and may be reinstated.

## **VI. Highlighting Critical Marine and Coastal Hotspot Issues, By Island**

MACZAC member Mike Sabas of Molokai emphasized the need for DLNR to do more in controlling runoff at agricultural lands where pesticides and other pollutants to coastal waters are affecting the water quality and health of the coral reefs. The upland forests, urban areas, coastlines and near shore environment are all closely linked. Although DNLR is trying to get community involvement to educate residents on how they can help improve the health of coral reef ecosystems, there needs to be more research and implementation of mitigation efforts to curb the effects of urban and agricultural runoff which negatively impact near-shore areas and Molokai's coral reefs.

MACZAC Chair Sue Sakai added that OP/CZM is currently involved in planning and coordinating efforts to implement place-based projects through the updated 2013 Ocean Resource Management Plan (ORMP). She also led a discussion with MACZAC members in how training, education, and awareness should focus on building the capacity of staff in lead agencies (state and county) identified in management priority #8: Promoting Collaboration and Stewardship through Training, Education, and Awareness.

Chair Sue also highlighted the recent Oahu sand erosion areas at north shore and Waikiki. She also noted the Hawaii Kai dredging and Waianae sludge issues. For more information see

<http://www.khon2.com/news/local-news/north-shore-waves-present-erosion-problems-for-homeowners>.

[http://article.wn.com/view/2013/10/19/North\\_Shore\\_residents\\_looking\\_to\\_abate\\_erosion\\_problem/#/video](http://article.wn.com/view/2013/10/19/North_Shore_residents_looking_to_abate_erosion_problem/#/video).

<http://www.hawaiinewsnow.com/story/23733577/www.hawaiinewsnow.com>.

<http://www.hawaiinewsnow.com/story/23344798/exclusive>.

MACZAC member Kimbal Thompson of Oahu discussed concerns of how the revitalization of urban areas like Kakaako Community Districts will be important to the economy of Hawaii. Future economic growth

and a growing population are going to place great demands on Hawaii's coastal resources. A wake up call is needed, in order to properly manage these impacts and preserve our natural resources.

A question was raised regarding the status of the 1,400 tons of molasses spilled into Honolulu Harbor on September 9, 2013. Mr. Kaai'ai noted that this is not the first time a leak occurred. With the destruction of Honolulu Harbor's marine ecosystem, Matson apparently fixed the leak on Wednesday, September 11, 2014, which means a possible two-day violation. However, there may be more penalties and fines to be determined. Department of Transportation (DOT) Harbors is apparently collecting more baseline data on the current condition. On a positive note, there was anecdotal evidence that some fish came back almost immediately, in small pockets of Kewalo Basin.

MACZAC member Robin Kaye shared that there will be funding on a new well and a limu restoration project on land; similar to what others are doing on Oahu and Molokai. A director of natural resources was hired to pilot a runoff mitigation project but is apparently no longer working there. The desalination project is now going through a testing process with the Department of Health. Results of the findings will be determined by January 2014. The goal is to generate two million gallons of fresh water a day. Currently, 75% of the daily water supply goes to Manele Bay Hotel. The challenge in the desalination project is that they will be using injection wells to store the brine. They say it may take 8-10 years for it to dissipate back into the ocean. Due to the lack of scientific knowledge of this desalination process, the people of Lanai must trust that the developers will do the right thing. There is cautious optimism on this project.

MACZAC member Craig Severance reported on the following East Hawaii hotspot issues: The County of Hawaii wants to apply eminent domain at Papaikou Beach to purchase the trail and access to the beach below the old Mill. The landowners claim to have built the trail and to maintain it. Others claim the trail was already there. A second access point was to be kept open but a lessee farmer has closed it. A community meeting on the issue with a councilperson and Corporation Council was held on October 23, 2013. Over a hundred people with red and white armbands demanded 24-hour access. Eminent Domain is a slow process!  
<http://www.bigislandvideonews.com/2013/10/23/video-papaikou-mill-beach-access-legal-update/>.

A second hotspot issue is in regards to the Waiakea public fishing area where there are many complaints about user conflicts between fisherman, standup paddle boarders, and kayakers. Hawaii Division of Aquatic Resources Administrative rules changes hearing on October 24, 2014. Over 20 people testified in favor of keeping kayakers and standup paddle boarders out of the fishing area, which is above (south of) the humped walking bridge. This is a long standing fishery and there is no other place to regularly fish mullet during the season. Many fishermen are elderly and this is important for them. Paddle boarders and kayakers still have the rest of the bay. Mr. Severance believes these conflicts will only intensify. There were some post hearing discussions of arsenic in Wailoa estuary sediments.

Mr. Severance noted that on the Big Island, there may be an increase in conflict between Hawaiian fisherman, and the Marshallese and Chuukese (Micronesia) fisherman, who are known to depend on subsistence fishing for survival. Hawaii's newest migrants from the Chuuk Islands in Federated States of Micronesia (FSM) and the Republic of the Marshall Island (RMI) face discrimination and restricted social service benefits after moving to Hawaii, either by choice or necessity. Mr. Severance emphasized a need to correct inaccurate information and to eliminate stereotypes. If you would like more information, there is a State Management Guide (also translated in Chuukese and Marshallese) which is available from Micronesians United-Big Island (MU-BI) at <http://www.mu-bi.org/programs/>.

MACZAC member Jim Coon noted an increase in spearfishing companies who are attracting visitors to spearfish the reefs of Maui. MACZAC member Phil Fernandez also heard about these spearfishing companies on Kauai. These companies are depleting the reef resources, damaging coral, and are going

unchecked and unregulated. Mr. Coon volunteered to initiate a letter by first collecting facts regarding these abusive practices. Chair Sue Sakai, Mr. Fernandez, and Mr. Severance, all agreed to assist in developing a letter to be sent to Frazer McGilvray at the Division of Aquatic Resources (DAR) and to William Aila Jr. at the DLNR. MACZAC member Donna Brown of Maui also suggested that these spear fishing companies target the removal of Roi, a grouper known to eat over 140 reef fish per year; thus, a popular target in spearfishing tournaments in order to keep the number of these invasive species down. The reality is that a majority of these tour companies are killing whatever fish they can shoot which can lead to statewide problems.

Mr. Fernandez also mentioned that any citizen can write up and insert a paragraph in the Hawaii Administrative Rules to DLNR. The procedure for administrative rules is set by Hawaii Revised Statutes Chapter 91. A proposed rule (or amendment) is drafted, and then approved by the Board of Land and Natural Resources (BLNR) for public meetings/hearings. The draft is then taken out to the meetings where the public can give formal testimony on the proposed draft rule.

Mr. Coon also noted another issue in which DLNR started to put up signs in swim zones on the north shore; thus, eliminating kite-boarding and windsurfing activities, which are very economically viable tourist activities for Maui. As more and more people go to Maui to windsurf, the state is enforcing restrictions regarding ocean recreation, relating to types of approved uses, areas, and times. In order to co-exist together within the guidelines of the state's rules, DLNR officers will start to enforce the rules if required. Instead, Mr. Coon would like to suggest facilitating a meeting of these ocean users to come together in order to find a better solution. He volunteered to write a draft letter to DLNR asking for a similar type of "hooponopono" instead of a knee-jerk reaction of solutions stemming back from rules and regulations created a couple decades ago by DLNR.

MACZAC member Rich Brunner of Maui reported the following issues:

- There will be 72 cruise ship days in Lahaina Harbor for the 2013-2014 season, hosting 3 fishing tournaments, bi-annual Vic-Maui, and Labor Day Race. One of the attractions to Lahaina Harbor is its openness, and one of its biggest pitfalls is its openness which creates a security problem. To avoid creating a litter issue, trash cans are not permitted on the dock which is used for boarding cruise passengers as well as for fueling. The trash cans in the area are serviced by Lahaina Restoration Foundation, a 501(c)(3). The relatively new comfort station is locked at times when passengers are in the harbor area on a daily basis. Many of the dock boxes are not conforming in size and create a haphazard appearance. The harbor needs some real attention to maintain itself as a marketable destination. The Lahaina Restoration Foundation is a 3-year plan to improve accessibility by pedestrians. Once again, increased focus on the cultural significance of the area and tackling the eye sore of the adjacent harbor is needed. A proposed solution would be to implement a small increase in ship passenger fees of \$0.50 to build reserves to improve the harbor appearance.
- Power outage issues affecting vendors have been reported since Tuesday, October 22, 2013. Apparently these power outages have been due to the March 2011 Tsunami; relief funds are no longer available to make these repairs.
- There are no channel marker buoy maintenance programs for state navigation aids; actions are reactive not proactive. When a channel marker buoy breaks loose, it drifts aground and becomes a hazard to the reef and decreases safe navigation in waters. A solution to this problem would be to mimic the United States Coast Guard frequency of maintenance of aids in navigation.
- The Lahaina Harbor Advisory Committee is opposed to a number of issues proposed in the Sanctuary: (1) Speed limit in the Sanctuary citing that the present laws are working, more emissions from boats designed to run at higher speeds, (2) The Hawaiian Islands Humpback Whale National Marine Sanctuary wants steeper fines for unavoidable approach violations, (3) Absent voices seem to be louder on the issue using research data from right whale of New England to

create solutions to the humpbacks of Hawaii, and (4) The Sanctuary was initially sold to the public as a single species sanctuary and that it would remain that way.

- Residential gray water program; the injection wells on Maui are not working as they had hoped; more resident time before finding the sea. Has the Department of Health looked at what other dry states are doing with residential gray water so that less water is being sent to the treatment plants?
- Mala ramp is slated for demo and reconstruction. It seems that the users were never really involved in the planning part of the closure. Complete closure is needed to make a timely repair.
- Maui Nui Marine Resource Council Coral Reef Recovery Plan is seeking a County resolution. Beach cleanup at one of the recovery sites has yielded quite a list of items. The September 21, 2013, Oluwalu Beach cleanup covered approximately 0.1 mile of shoreline with 18 man-hours.
  - Biohazardous waste found: 669 cigarette butts, 105 pieces of used toilet paper, 10 piles of human feces, a whole bucket full in one area, 8 piles of rotting food, old pizza, eaten chicken carcass, eaten sea urchins, 9 batteries, 6 tampons, 3 syringes, 6 used diapers
  - Large items: 2 fishing nets, 8 meters of rope, 4 appliances, 1 mattress, 7 car parts, 14 construction materials, 1 tire
  - Other trash: 322 metal bottle caps, 111 plastic bottle caps, 62 forks, knives, or spoons, 22 plastic bags, 5 meters of fishing line, 121 food wrappers and containers, 40 other pieces of plastic like rubber bands, foam packaging, 2 fireworks

MACZAC member Donna Brown of Maui noted that at every high tide, the ocean water continues to splash onto cars and puddle water on the Honoapiilani Highway. It was suggested that the highway should have been either moved back or the highway raised on pilings so the water would go under the road like a causeway. Ms. Brown hopes to draft a letter to the Governor.

MACZAC member Phil Fernandez brought up an issue regarding cruise ships in Hilo Bay who are no longer using tugboats to assist. The tugboats still feel that there is good reason to have tugboat assists due to exposure to trade winds, strong currents, and exposure to coral beds in Hilo Bay. Moreover in 2013, a fishing line was entangled in the props of a cruise ship which required a tugboat assist. There are tugboat captains who are asking for support for reasons just like this, in case something happens.

Mr. Fernandez noted that a Puako community association (of luxury homes) came up with their own proposed management plan and hired their own scientific study to be completed. But when the community requested a copy of the study, their request was refused. The association claim they included all of the stakeholders and represented the community; but it doesn't appear they have included native Hawaiian descendants for their cultural rights using ancient methods.

- In another example, it appears that neighbors of Alii Drive have come up with their own proposed access management plan. Mr. Fernandez noted that communities need to bring in folks who are experts regardless if they like what is being said or not. These communities feel they own the land fronting the reef and are effectively banning access by banning activities on their shoreline.

MACZAC member Rhoda Makaanani Libre of Kauai was not able to attend but provided the following report:

(Included are community complaints filed to the watershed council by aha kupuna council, native Hawaiian practitioners, regional lineal and cultural descendants, and ahupuaa constituents)

Native habitat continues to decline to less than 5 percent.

Increase of dead zones in kona moku is in extreme to emergency conditions.

Reef integrity is constantly defiled.

Sacred fish nurseries reported 12 rafts, boats, catamarans with scuba, and snorkel tours.

Disrespectful behavior, human safety, food tainting concerns, interruption of native practices, daily and nightly intrusions.

Awaiting DAR to increase citing of intruders.

Earthjustice was consulted due to pesticide dust in villages.

GMO company DOW dumping in the ocean via submerged pipes on the ocean floors.

DOT builds roads using foreign sand, creating non-point source runoffs into reefs.

Wetlands dumping, water diversions killing native invertebrates and endangered species.

Military warships anchor on the reef and come ashore without approval from customs, TSA, or harbor master; security, fisheries, poaching, and coral reef concerns.

There are no permits, no zones, no community input, no management plan.

Infringement upon historic practices, sites, food gardens, native stewards and "makaainana."

Highest cultural violations against indigenous people and regional descendants.

DOBOR Kauai Chief ignores and blames DAR Chief. Working with Director William Aila Jr. on remediation of these issues.

Protest march planned for each month. A human barrack demonstration to protect the kona moku fisheries, nurseries, and practices.

A list of violators have been compiled and sent to the EPA and to the State for assistance.

DLNR Kauai has been ineffective; resulting in increased community conflict and environmental and cultural damages.

The emotions are very high. Aggression on the part of operators have been pushing this culture to the brink; damaging the west side as a whole. Kauai appreciates your action!

## **LUNCH**

### **VII. Reports from MACZAC Working Groups**

#### **a. Education and Website Working Group**

- Rich Brunner, Chair, was informed of the latest update to the layout of OP's website and parameters. Creating a MACZAC Facebook page or uploading a recording of the MACZAC meeting onto a webpage was suggested.

#### **b. Shoreline Access Working Group**

- Sue Sakai, Chair, stated that the first Shoreline Access meeting with OP is to take place on Friday, November 1, 2013.

#### **c. Ocean Resource Working Group**

- During discussion of the updated ORMP, the MACZAC Ocean Resource WG discussed major concerns on how community place-based management is lacking at the county and state levels of government.
- Mr. Asuncion stated that he will be offering a conceptual view at the upcoming ORMP PG meeting on November 27, 2013. He hopes that the PG will set priorities on each of the 11 management priorities. Once priorities have been determined, then the WG members will create action teams. Initially, this is where Chair Sakai would be available to listen to what is needed by the action teams. MACZAC's role in the ORMP may not be determined until early 2014. However, there are education/outreach programs that can still be implemented in the meantime.
- Mr. Asuncion gave an ORMP WG example of an action team that will be proposed to the PG with Nathalie Morison in OP, as chair. Ms. Morison is tasked with bringing together her team to work on appropriate coastal development, Management Priority #1. OP will be encouraging DAR, Division of Forestry and Wildlife, Office of Conservation and Coastal Lands, and other lead agencies to look from within and for partners, and to start calling them to obtain resources. Slowly, it all needs to trickle down from the PG to the WG level.

- According to Maui County, dune replenishment can be considered climate change adaptation. Trying to get these agencies to “turn the lens a little” with more collaboration and discussion with more partners can have multiple positive results.
- Mr. Severance and Mr. Fernandez will be meeting with OP to receive guidance on creating an updated white paper on fisheries that may complement the data in the ORMP.

**d. Legislative Working Group**

- Mr. Asuncion noted that OP will not be submitting any new bills this session. There appears to be draft bills coming out from the Department of Agriculture, DOH coastal nonpoint program, and other bills by DLNR. Chair Sakai discussed the need for the Legislative WG to begin preparing for the 2014 legislative session and coordinate legislative visits.
- Justine Nihipali will be presenting updated bills in the upcoming weeks.

**VIII. New Business**

Lanai MACZAC representative, Robin Kaye, was reappointed for another term: January 1, 2014 to December 31, 2016. MACZAC applications for Oahu and Molokai representatives will be accepted until November 22, 2013.

The next MACZAC Quarterly Meeting is scheduled for Friday, January 31, 2014, at OP in Honolulu.

Suggestions for agenda items at next meeting:

- Further discussion on MACZAC’s role in ORMP outreach and education programs.
- Creation of MACZAC’s ORMP matrix that can reviewed annually as MACZAC’s dashboard.

**IX. Adjournment**

MACZAC Chair, Sue Sakai, adjourned the meeting at 2:40 pm.