

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

MINUTES

**Friday, September 23, 2016: 1:00 pm – 3:00 pm
Grand Hyatt Kauai Resort and Spa
1571 Poipu Road, Koloa, Hawaii 96756**

ATTENDANCE

- Members Present: Phil Fernandez, Donna Brown, Rich Brunner, Dawn Hegger-Nordblom, Kimbal Thompson, Sue Sakai, Robin Kaye, Robert Nishimoto, Angela Anderson, Lori Buchanan
- Members Absent: Robert Kaden, Jim Coon
- Office of Planning/Coastal Zone Management (OP/CZM) Staff Present: Justine Nihipali, Lisa Webster
- Others Present: Caren Diamond (Malama Kua‘āina), Nancy McPherson (DHHL)

DISTRIBUTED MATERIAL

- MACZAC Meeting Agenda for September 23, 2016
- Minutes from May 18, 2015 MACZAC Meeting [Draft]
- CZM Report to MACZAC (September 23, 2016)
- MACZAC Hotspots 9/2016
- DLNR Request for Comments for the Set-Aside to DOFAW for Kanaio Area
- Thumbs-Up Award Guidelines
- Thumbs-Up Award Nominations 2016
- Articles:
 - “Citizen science water quality monitoring program launched in West Maui” –
[<http://www.lahainanews.com/page/content.detail/id/533057/Citizen-science-water-quality-monitoring-program-launched-in-West-Maui.html?nav=19>]
 - “Coastal Cleanup Removes Tons of Trash” –
[<https://themolokaidispatch.com/coastal-cleanup-removes-tons-of-trash/>]
 - “Feds take most humpback whales off endangered species list” –
[<http://www.staradvertiser.com/breaking-news/feds-take-most-humpback-whales-off-endangered-species-list/>]
 - “Fishing Righteously In Kona For Generations To Come” –
[<http://www.civilbeat.org/2016/06/fishing-righteously-in-kona-for-generations-to-come/>]
 - “Hawaii prepares plan to help coral recover from bleaching” –
[<http://www.staradvertiser.com/breaking-news/hawaii-prepares-plan-to-help-coral-recover-from-bleaching/>]
 - “Here’s How To Do Sound Marine Management” –
[<http://www.civilbeat.org/2016/08/heres-how-to-do-sound-marine-management/>]
 - “Ocean Activities discussed at July 19 meeting” – (2016, August 15). Ocean Activities discussed at July 19 meeting. *Lanai Today*, p. 5.
 - “Ocean Power Technologies Deploys Commercial PowerBuoy with Energy Storage” –
[<http://www.powermag.com/ocean-power-technologies-deploys-commercial-powerbuoy-energy-storage/>]
 - “Successful conservation efforts pay off for humpback whales” –
[<http://www.noaa.gov/media-release/successful-conservation-efforts-pay-off-for-humpback-whales>]

I. Call to Order

MACZAC Chair, Sue Sakai, called the meeting to order at 1:00 pm and welcomed everyone. All those present briefly introduced themselves. Ms. Sakai announced that Justine Nihipali is now the Hawaii CZM Manager.

II. Approval of May 18, 2016 Meeting Minutes

The May 18, 2016 Meeting Minutes were unanimously approved by all members present.

III. Hawaii Coastal Zone Management (CZM) Program Report

Ms. Justine Nihipali, CZM Manager, went over the CZM Program Report highlighting the following:

Hawaii CZM Program

The following is a status summary of the Hawaii CZM Program and its initiatives as of 9/23/16:

- 8 of 10 positions staffed (2 Project Analyst positions vacant; in recruitment)
- 1 contractor (via RCUH) for two project areas (MACZAC Admin and Sub-Regional Ocean Partnership (Sub-ROP)). The Sub-ROP project ends September 30, 2016.

Ocean Resources Management Plan (ORMP)

- Working on a dashboard in order to show all the metrics for the ORMP.

Coastal Non-Point Pollution Control Program (CNPCP)

- Waiting to hear from NOAA about recently submitted proposals.

National Estuarine Research Reserve in Hawaii

- Currently, designation process is in third phase – development of a Management Plan, Boundary Delineation, and a National Environmental Policy Act (NEPA) document.
- Draft NEPA and Management Plan is ready for public review and can be accessed online, (<http://coast.noaa.gov/czm/compliance/>)
 - 45 Day comment period ends 5:00 pm (HST) October 17, 2016.
- An informal Open House will be held at He‘eia State Park, 46-465 Kamehameha Highway, Kaneohe, HI 96744 from 4:30 – 5:45 pm; followed by the Public Hearing scheduled for October 6, 2016 from 6-7 pm.
- Third phase projected to be completed in December 2016; Designation expected 2nd Quarter 2017
- CZM Staff contact is Rebecka Arbin

Climate Change Adaptation

- One of the ORMP Management Priorities
- Current focus is on the implementation of Act 83 (2014) – Inter-agency Climate Adaptation Committee (ICAC); DLNR and OP are co-chairs of the ICAC. Information on ICAC activities can be found on-line at (<http://climateadaptation.hawaii.gov/>)
- ICAC projected to have meetings throughout 2016 and 2017. The next will occur September 27, 2016. There will also be an ICAC symposium in February 2017.
- Information on Climate Change Adaptation can be found on-line at (<http://planning.hawaii.gov/czm/initiatives/adapting-to-climate-change-2/>)

Coastal Hazards

- Continue with training of architects/engineers/planners on code requirements for specific coastal hazards
- Continue to partner with State and county Civil Defense Agencies; State Energy Office, and the private sector on coastal hazards, with tie-in to CZM efforts on climate change adaptation.

- Information on Coastal Hazards can be found on-line at (<http://planning.hawaii.gov/czm/initiatives/coastal-hazards/>)
- CZM is officially the recipient of Project of Special Merit 2016 grant award in the amount of \$245,000 to carry out a new project, Probabilistic Tsunami Design Zone Mapping as part of its 5-year 309 strategy.
- CZM Staff contacts are Ann Ogata-Deal and Justine Nihipali

CRest Project

- OP-CZM Program received funding from the Coastal Resilience Networks Grant Program to examine existing county building codes and how such codes may incorporate climate change adaptation measures
- Primarily working with the City and County of Honolulu, Department of Planning and Permitting on the project.
- Consultant selected (Martin & Chock; Gary Chock)
- Project has been extended due to unexpected delays due to the project modeling results, and final report to be published no later than March 30, 2017.
- Interim CZM Staff contacts are Ann Ogata-Deal and Leo Asuncion

IV. Reports from MACZAC Working Groups

- Education and Website Working Group
Ms. Lisa Webster, MACZAC Administrative Assistant, noted that she updated and redesigned the MACZAC Thumbs-Up Award webpage.
- Ocean Resources Working Group
No Report.
- Shoreline Access Working Group
No Report.
- Legislative Working Group
No Report.

V. Discussion of MACZAC Response to DLNR Request for Comment Regarding Set-Aside to DOFAW for Kanaio Area

Ms. Sakai stated that DLNR requested comment from MACZAC on the set-aside of a large parcel of unencumbered State land in Kanaio, Maui. This action does not trigger any need for an Environmental Assessment, or Chapter 343, it's just assigning interim management of this area to DOFAW. Ms. Dawn Hegger-Nordblom, MACZAC member, added that Army National Guard was doing maneuvers in the area, and is now planning to do clean-up. Ms. Sakai added that a request for proposals will be going out for a general management plan and EIS for this land. NEPA and Chapter 343 will apply at that point. Ms. Sakai made a motion which was unanimously agreed upon that MACZAC respond with 'we have no objections, but request to be a consulted party'. The group also agreed to replace the Shoreline Access Working Group with a Request for Comments Working Group. Membership of this Request for Comments Working Group would vary, dependent upon the subject of the request.

VI. Discussion of 2017 Legislative Working Group Members, Roles, and Responsibilities

Ms. Sakai stated that the MACZAC Legislative Working Group generally visits the Legislature in January to make legislators aware of MACZAC and its advisory role to the Office of Planning. With OP's help, the group monitor bills, prepares and submits testimony, and members may also testify in

person. Testimony is also circulated to all MACZAC members. The following MACZAC members volunteered to serve on the Legislative Working Group: Dawn Hegger-Nordblom, Angela Anderson, Phil Fernandez, Kimbal Thompson, Sue Sakai, and Bob Nishimoto. Ms. Hegger-Nordblom suggested it might be good to have a legislative workshop at the next MACZAC meeting to include training on the legislative website.

VII. Discussion Highlighting Critical Marine and Coastal Hotspot Issues, By Island

- Molokai – Ms. Lori Buchanan, MACZAC member, discussed the following Molokai hotspot:
 - South Shore Ocean Events

The Aha Kiolo is trying to get some information from DLNR about ocean events on Molokai. 4 requests sent to DLNR asking what permits do you have for ocean events on Molokai? No answer for 7 months. Events are held April – October. Asked vendors to provide that information, have received 13 permits. The biggest races are the men’s and women’s Oahu to Molokai races. What permits are required? There are approximately 17 ocean events annually. Last week 700 people in 92 canoes pulled into Molokai’s Kaunakakai Harbor. Cultural resource protection requires that the community come up with protocols. Molokai has a ‘no use of personal watercraft’ rule for Molokai’s South Shore in Hawaii Administrative Rules for DOBOR. No jet skis, in order to protect fishing. Ms. Buchanan stated that she received a call from the security race coordinator. The board has issued a conditional permit for use of watercraft, which is a very controversial issue for residents of Molokai. Mr. Phil Fernandez, MACZAC member, noted that he believes that a conditional permit is required only if the race starts or ends at a beach or harbor. He added that a court on the Big Island said DLNR has the right to limit the number of permits approved. The races are exceeding carrying capacity, and are impacting nearshore resources for people who live off subsistence fishing. The community would like to limit the number of events being held on Molokai, and would like to have a say on which events are approved.
- East Hawaii Island – Dr. Bob Nishimoto, MACZAC member, discussed the following East Hawaii Island hotspot:
 - Hamakua Coast

Dr. Nishimoto suggested that it might be helpful to have the Planning Commission go out on a boat and see the coastline from land to better understand the challenges facing the area.
- Maui – Ms. Donna Brown, MACZAC member, discussed the following Maui hotspot:
 - Honoapi‘ilani Highway

Ms. Brown noted that there was a big protest at the site of the newest Honoapi‘ilani Highway seawall construction site, adjacent to a popular surf spot, which led to DOT calling off the seawall construction at this site. There are still plans to build a seawall at a nearby site that is one of Maui’s best snorkeling spots. Ms. Brown added that the erosion has been going on for a while, land has been purchased by the county for the purpose of highway realignment, there’s a cane haul road mauka of the existing highway, and DOT should realign the highway, rather than build additional seawalls. Ms. Sakai will write another letter to DOT recommending next steps, letting them know we want to work with them, and requesting that we be informed of future projects planned for the area. Ms. Sakai suggested that MACZAC contact the newly established Maui Metropolitan Planning Organization to encourage them to prioritize highway realignment as well. Mr. Rich Brunner, MACZAC member, added that this is a matter of safety. The road is often backed up due to construction or water on the roadway, and if someone needs to get from Lahaina to the one hospital on Maui, in Wailuku, delays could be deadly.

VIII. Public Input

Ms. Caren Diamond of Malama Kua‘āina stated that there are sandbags in the Conservation District of Hā‘ena that were placed on the beach in 1997 as part of an emergency declaration. How can agencies enforce removal of emergency armoring? Ms. Diamond added that the beaches need protection, not the private properties. Ms. Sakai stated that emergency proclamations are the cause of many coastal zone problems. Ms. Sakai noted that she spoke with Scott Glenn, director of OEQC, and offered her assistance if it is needed. Ms. Sakai added that OEQC is in the process of updating their rules, and will hopefully address emergency proclamations in their update.

IX. Nominations for 2016 Douglas Tom “Thumbs-Up” Award

Donna and Rich want to nominate Hui O Ka Wai Ola, a citizen science coastal water quality monitoring program in West and South Maui. The group has been doing a lot of community outreach, and are working with students at Lahainaluna High School, using the lab there to test water samples.

X. Discussion of MACZAC Term Limits and New MACZAC Member Recruitment

Mr. Robin Kaye, MACZAC member, stated that several of MACZAC’s members have been part of MACZAC for over 17 years. Mr. Kaye noted that he feels that this is a missed opportunity for other members of the community, who might otherwise get involved. Mr. Kimbal Thompson, MACZAC member, noted that he believes there should be some overlap between new members and existing members. Mr. Fernandez added that he sees the ‘institutional knowledge’ of the long-time members as a benefit, and that there are a number of other criteria that should be looked at when evaluating MACZAC representation. Ms. Brown added that there was, at one time, a MACZAC Nominating Committee tasked with identifying prospective MACZAC members. Mr. Brunner suggested that it might be good to have a student member, possibly a planning or law student at UH. Mr. Kaye added that 6 MACZAC member terms will be ending in the next few months.

XI. New Business

- The group agreed to meet Thursday, January 26th, to have a ‘MACZAC Visioning’ session, followed by a visit to the Legislature. Ms. Hegger-Nordblom suggested that it might be helpful for members to submit ideas/suggestions for the future direction of MACZAC in advance of the ‘MACZAC Visioning’ session.
- The next MACZAC Quarterly Meeting will be held Friday, January 27th, 9:30 am – 12:30 pm at the Office of Planning Conference Room.
- Agenda items for next meeting:
 - Discussion of ‘MACZAC Visioning’ session
 - Discussion of visit to Legislature
 - Gary Chock to present again to share his findings and recommendations on Building Code Amendments to Reduce Existing and Future Building Stock Vulnerability to Coastal Hazards & Climate Impacts in the CCH
 - Mr. Fernandez suggested inviting a long-term planner from Hilo to come discuss county plans for the future of Hilo’s coastal areas.

XII. Adjournment

MACZAC Vice-Chair, Kimbal Thompson, adjourned the meeting at 2:54 pm.