

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

**MINUTES**

**Thursday, February 8, 2018: 9:30 am – 12:30 pm**  
**Office of Planning's Conference Room**  
**235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813**

**ATTENDANCE**

- Members Present: Phil Fernandez, Jim Coon, Rich Brunner, Kimbal Thompson, Robert Nishimoto, Donna Brown, Sue Sakai
- Members Absent: Nick Palumbo
- Office of Planning (OP) and Office of Planning/Coastal Zone Management (OP/CZM) Staff Present: Leo Asuncion (OP), Justine Nihipali (OP/CZM), Rebecka Arbin (OP/CZM), Melanie Lander (OP/CZM), Lisa Webster (OP/CZM)

**DISTRIBUTED MATERIAL**

- MACZAC Meeting Agenda for February 8, 2018
- Minutes from November 3, 2017 MACZAC Meeting [Draft]
- High Priority Retreat Goals
- 2018 MACZAC Legislative Working Group Process
- ORMP-Related Bills
- MACZAC Hotspots 2/2018

**I. Call to Order**

MACZAC Chair, Kimbal Thompson, called the meeting to order at 9:40 am and welcomed everyone.

**II. Approval of November 3, 2017 Meeting Minutes**

The November 3, 2017 Meeting Minutes were unanimously approved by all members present.

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

Justine Nihipali, CZM Manager, provided a verbal CZM Program Report highlighting the following:

**Managed Retreat Symposium - January 11, 2018**

This one-day symposium was one of the implementation projects of the ORMP Action Team for Appropriate Coastal Development and Management of Coastal Hazards. The symposium focused on the buyout strategy of managed retreat, with two speakers, one from New Jersey (post-Superstorm Sandy case study) and the other from Southern California (Surfrider coastal bike path case study). The symposium included several Hawaii panels, including legal, economy, social justice/open space, and insurance. This was an early discussion of a difficult subject. It is not yet clear if a buyout strategy is feasible for Hawaii.

Sue Sakai, MACZAC member, attended the symposium, and stated that she came away feeling discouraged by the information shared by the panels representing private industry. Jim Coon, MACZAC member, shared that land trades have been used in Lāhainā to compensate land owners when bypass roads were built through their properties, and this might work for managed retreat as well.

#### Community Stewardship Directory Update

CZM hired two part-time student assistants to work on the Community Stewardship Directory update, as well as other projects. Ms. Nihipali encouraged MACZAC members to share the names of additional organizations that they believe should be included in the directory.

#### **IV. Discussion of MACZAC Retreat Outcomes**

##### Clarify and Codify

- As agreed upon at the April 2017 MACZAC meeting, hotspots will be chosen based on commonalities within hotspots, with a focus on the bigger issues that lead to multiple hotspots, looking for disconnects between current practices and the policies laid out in HRS 205A and 226.
- The group decided to focus presentations on a single topic each year, and will focus on coral this year. Coral was chosen as this year's focus because of both its importance to the State as an ecosystem and also its economic importance as a tourist attraction. Topics related to coral could include artificial reefs and coral nurseries and out-planting. Artificial reefs have multiple benefits, including providing new substrates for coral growth, dampening storm waves, and providing tourism opportunities. MACZAC members are also interested in learning what the State is doing to implement artificial reef projects. Melanie Lander, ORMP Coordinator, noted that artificial reefs are not currently included in the ORMP, but could be added in the update. MACZAC members discussed that there seems to be a negative connotation around the term 'artificial reef', and suggested rebranding it 'reef augmentation', 'wave attenuation', or 'fish aggregating devices'.

##### Step Up Outreach Efforts

- Mr. Phil Fernandez, MACZAC Vice-Chair, noted that Ms. Nihipali and Shichao Li, OP/CZM SMA Coordinator, visited Hilo recently to meet with County of Hawaii planning staff to talk about SMA regulations. Mr. Fernandez also noted that DPP presented at the last MACZAC meeting.
- Ms. Sakai stated that she liked the August 2017 MACZAC meeting on Maui, and that it was helpful to connect with County of Maui planners and the community.
- Ms. Sakai suggested that CZM might want to put together a panel to discuss the ORMP at the next HCPO meeting, to be held in Hilo, and a MACZAC member could be included on the panel.

##### Strengthen Internal Communication

- Ms. Nihipali has continued working on increased bi-directional communication between CZM and MACZAC, reaching out to both MACZAC members and county planners in order to increase MACZAC effectiveness.
- Ms. Nihipali shared that she is hoping to send CZM planners to neighbor islands this year to meet with county planners and MACZAC members, so that CZM can become more familiar with issues on each island.

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

- **Legislative Working Group**  
MACZAC members went through the ORMP-Related Bills handout. The group discussed HB1752, which establishes a non-commercial marine fishing license requirement, allocating the revenue to DLNR and creating a special fund. Mr. Fernandez shared that he was part of a study group which met monthly for a year, and that the group reviewed the Hawaii State Constitution

and Hawaii Revised Statutes to identify impediments to going forward with establishing a non-commercial marine fishing license. The study group included Conservation International, NOAA, DAR, OHA, Kua‘āina Ulu ‘Auamo (KUA), and Hawaii Fishermen’s Alliance for Conservation and Tradition (HFACT), Mr. Fernandez’s fishing organization, and there was consensus that this is something that can and should get done. More outreach needs to be done to educate the shoreline fishing community and the general public about this issue. Mr. Coon noted that enforcement is taken really seriously in Alaska, and he has seen airplanes drop out of the sky to check fishing licenses. Mr. Fernandez noted that enforcement is a required counterpart of licensing, but under current law the special fund could not be used for enforcement using DLNR-DOCARE.

Leo Asuncion, OP Director, recommended that the bills related to the United Nations sustainable development goals be codified in a new section under Chapter 226. Sea Level Rise could also be added in with a requirement for considering it in agency plan updates.

MACZAC members briefly discussed HB2500/SB3103 relating to coastal highways, which requires the Department of Transportation to work with the Department of Land and Natural Resources, the School of Ocean and Earth Science and Technology, the County of Maui, and Federal agencies to develop a strategic plan to protect coastal highways from the effects of coastal erosion and update the plan as needed every 5 years.

- Executive Working Group  
Ms. Nihipali shared that CZM submitted Chair Thompson’s and Vice-Chair Fernandez’s names for the preliminary survey for the NOAA 312 Program Evaluation. Ms. Nihipali also stated that she is hoping that Chair Thompson and/or Vice-Chair Fernandez are available in August for the in-person portion of the evaluation.
- Retreat Working Group  
No report.

## **VI. Discussion of Hotspot Verification and Mapping**

The group discussed how hotspots are chosen, and agreed that MACZAC doesn’t focus on individual cases, but rather focuses on issues of statewide concern, with multiple examples across the state.

MACZAC members reviewed a draft hotspot map prepared by Lisa Webster, MACZAC Administrative Assistant, and agreed that it would be helpful to color-code hotspots based on whether they are examples of coastal erosion, poor water quality, public access or other issues.

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

- East Hawaii Island – Bob Nishimoto, MACZAC member, discussed the following East Hawaii Island hotspot:
  - Hamakua Coast Dairy Farm  
Dr. Nishimoto noted that the Community Development Plan for Hamakua is focused on agriculture. The dairy farm in ‘Ō‘ōkala is a concentrated animal feeding operation, where the cows are fed concentrated feeds that include estrogen and other endocrine disruptors, to increase milk production. Estrogen is a powerful hormone that can lead to fish feminization, and possible collapse, of fresh water fish populations. Department of Health only tests for inorganic nutrients like nitrogen and phosphorous, and not for hormones.

- Maui hotspots:
  - Lāhainā Bypass Road  
Donna Brown, MACZAC member, shared updates on a bypass road being built from Olowalu, up behind Lāhainā, which will temporarily feed into the middle of Lāhainā. The bypass road will be the only available route, and there will be two lanes merging into one lane as the road enters Lāhainā. Ms. Brown added that traffic in the area is really bad right now, and the project is going to take several years to complete.
  - Public Access to Ka‘anapali Beach  
Ms. Brown also shared that there is very limited parking for beach access in the Ka‘anapali Beach resort area, and often the employees of tour boat operators take the public access parking spots. This makes it very hard for locals to access this beach.
  - Kīhei Bay Water Quality  
Rich Brunner, MACZAC member, shared that the water in Kīhei Bay is often green, and he believes it is due to elevated levels of Chlorophyll a. Submarine water samples taken in the area were shown to have higher levels of nutrients and Chlorophyll a, possibly linked to injection wells in the area.

Mr. Brunner noted that the ORMP does not seem to address water quality as a whole, but does look at runoff. Mr. Brunner suggested that it might be good to include additional aspects of water quality in the upcoming ORMP update.

### **VIII. Public Input**

Ms. Ruth Patton submitted several documents by email noting that the commercial trail rides she previously reported continue to occur along Kanaio Beach, in Maui. MACZAC members discussed the issue, and noted that multiple agencies have taken action to remedy this situation, and that this is not a Statewide issue.

### **IX. Election of MACZAC Officers**

Jim Coon, MACZAC member, made a motion to have Kimbal Thompson continue as Chair, and Phil Fernandez continue as Vice-Chair. Ms. Sakai seconded, and the group unanimously agreed to the motion.

### **X. New Business**

- The next MACZAC Quarterly Meeting will be held Thursday, May 10, 2018.
- Agenda items for next meeting:
  - Ms. Donna Brown, MACZAC member, will give a short presentation on coral.
  - MACZAC members are interested in hearing from someone at DLNR/DAR about artificial reefs or coral transplanting/restoration efforts.
  - MACZAC members are also interested in hearing from Dolan Eversole of Sea Grant about Statewide coastal erosion issues.

### **XI. Adjournment**

Chair Thompson adjourned the meeting at 12:56 pm.