

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

## MINUTES

Friday, December 2, 2022: 9:30 am – 12 pm

Zoom Virtual Meeting

OPSD Conference Room  
State Office Tower, Floor 6  
235 S. Beretania St.  
Honolulu, HI 96813

### ATTENDANCE

- **Members present (8):** Donna Brown, James “Jim” Coon, Taryn Dizon, Phil Fernandez, Robert “Bob” Nishimoto, Benjamin “Ben” Ostrander, Scott Sullivan, Kimbal Thompson
- **Members absent (2):** Rich Brunner, Susan “Sue” Sakai
- **Office of Planning and Sustainable Development/Coastal Zone Management (OPSD/CZM) staff present (7):** Mary Alice Evans, Justine Nihipali, Lisa Webster, Sarah Chang, Debra Mendes, Shichao Li, Kristi Kimura
- **Others present (7):** Sam Peck, KITV4

### DISTRIBUTED MATERIAL

- MACZAC meeting agenda for December 2, 2022
- Draft minutes from August 26, 2022, MACZAC meeting
- CZM Report to MACZAC (December 2, 2022)

#### **I. Call to Order**

MACZAC Chair Phil Fernandez called the meeting to order at 9:32 am and welcomed everyone. Introductions were made. Chair Fernandez shared that there would be a final workshop of the CZM Regional Shoreline Management Study by the consultant, Tetra Tech, on Thursday, December 8, at 10:30 am, and Sarah Chang, CZM Project Analyst noted that she would share the meeting invitation with Lisa Webster, temporary MACZAC Coordinator, to distribute.

#### **II. Approval of August 26, 2022, Meeting Minutes**

The minutes were approved as circulated.

#### **III. Welcome from Office of Planning and Sustainable Development Director**

OPSD Acting Director Mary Alice Evans welcomed everyone.

#### **IV. Hawai'i Coastal Zone Management (CZM) Program Manager's Report:**

##### National Initiatives

### National CZM Program Funding

The CZM Program has prepared and submitted its FY22-23 and FY23-24 coastal management grant application to NOAA. NOAA has shared that we should be planning for flat funding at least for the first fiscal year.

### CZM Habitat Protection and Restoration Infrastructure and Investment Jobs Act (IIJA)

The CZM Program has the privilege of administering IIJA funds that support the goals and intent of the Coastal Zone Management Act, the Coastal and Estuarine Land Conservation Program, and the Infrastructure Investment and Jobs Act.

CZM solicited for LOI and submitted the maximum of three (3) to NOAA.

- Competitive: One of the 3 projects submitted was selected to submit a full application. The project applicants have decided they would like to be the direct recipients and submitted an application and budget on October 28, 2022. We await NOAA final selections.
- Capacity Building: CZM is applying for funds to increase program capacity to coordinate and administer IIJA projects over 3 years.

### Hawaii CZM Program

- 8 of 11 (2 are 0.5 FTE) positions staffed (1/2-time Project Analyst)
  - Position Vacancies: Planner V, 2 Project Analysts (in recruitment).
- 1 intern position
  - The graduate intern position is in recruitment.
- CZM Website updated periodically (<http://planning.hawaii.gov/czm/>). Working on improving communications for consistency and currency. Analyzing existing website to make it more efficient and streamlined.

### Section 312 Evaluation

- No new activity
- CZM Staff contact is Debra Mendes

### Section 309 Assessment and Strategy

- No new activity
- CZM Staff contact is Justine Nihipali

### Program Changes

- Submittal of proposed program changes with public notice to NOAA OCM on October 12, 2022. Comments received from the County of Maui, County of Kauai, and City and County of Honolulu by November 2, 2022. Decision of approval from NOAA OCM was extended from November 11, 2022, to December 12, 2022. Waiting for NOAA OCM decision and preparation of the second public notice. CZM Staff contact is Shichao Li

### Ocean Resources Management Plan

- Implementation of the Kokua Community-Based Monitoring Program continues with the DLNR-DAR 30x30 planning team, project partners, and community groups. The program will increase DLNR-DAR's capacity to monitor culturally valuable nearshore marine resources that are not regularly monitored by the

Division and is anticipated to run through March 2023. The team is developing a draft monitoring framework, with an initial focus on limu and 'opihi, and continues to develop a data sharing agreement with the communities through an iterative process. The team has also begun developing a draft Memorandum of Understanding between DLNR-DAR and community entities. The team is now in the process of identifying existing monitoring protocols and current monitoring efforts for limu and 'opihi as well as identifying stakeholder needs to support Community Based Monitoring (CBM) efforts. Next steps include finalizing the data sharing agreement and developing a draft community-based monitoring protocol that can be adapted to fit community needs. CZM Staff contact is in recruitment, Justine Nihipali.

- CZM received full funding for a NOAA Project of Special Merit FY22 project proposal to advance Focus Area #1. The project will analyze the legal and policy impacts of managed retreat in Hawai'i. This policy analysis will be one of two components in a larger managed retreat feasibility study. The second component will be an analysis of potential funding and financing mechanisms to support managed retreat in Hawai'i which will be supported with CZM Section 309 programmatic funds. CZM is finalizing the scope of work and anticipates starting the RFP solicitation process in December 2022.
- Implementation of the *Developing a Scoping Study for a Regional Shoreline Strategy Specific to the State of Hawai'i* project continues with Tetra Tech and the project team. This scoping study is an exploratory step towards a regional shoreline management strategy for the State of Hawai'i. On November 10, 2022, the project team hosted the second of three facilitated workshops with key stakeholders to solicit feedback that will be used to inform the final report and recommendations. The final facilitated workshop is scheduled for December 8, 2022 and will include a presentation of the project's final outcomes. The major phases of the project will be completed by December 2022, with a final Esri StoryMap being completed by February 2023. CZM Staff contact is Sarah Chang.
- CZM hosted an ORMP Coordinated Working Group meeting on October 6, 2022. The agenda included a discussion on potential proposals for the NOAA Project of Special Merit FY23. CZM staff presented two ideas: (1) DHHL shoreline guidance or rules, and (2) an estuary-focused project. CZM staff continues to work with relevant stakeholders to determine the feasibility of project ideas.
- CZM's NOAA Coastal Fellow began her 2-year fellowship on August 1, 2022. The Fellow's project focuses on the nexus of coastal hazards and social vulnerability in Hawai'i and aims to better understand and identify communities with higher risk to coastal hazards due to socio-economic and demographic factors. A StoryMap explaining the project background, outcomes, and uses was drafted and is currently in its final editing stage. The final StoryMap will be published on the ORMP Dashboard. Initial spatial analysis has been conducted using data from the Center for Disease Control's Social Vulnerability Index, which is a nationwide tool identifying areas that are vulnerable based on different social factors. Currently working on conducting spatial analysis with data from a different Social Vulnerability Index to compare and contrast identified areas.

- The *Menu of Coastal Hazard Adaptation Strategies Suitable for Hawai'i Coastlines* project is in its final stages. Oceanit and the project team have developed a series of informational resources on a range of potential coastal adaptation strategies appropriate for Hawaii. The deliverables include a StoryMap, Adaptation Strategy Info Cards and interactive map. The project will be completed by November 30, 2022. OPSD continues to move forward with the Act 178, SLH 2021 initiative looking at sea level rise and State facilities. OPSD has received and is incorporating feedback from the Act 178 Action Team on the 2022 Annual Report. OPSD submitted draft bill language requesting funding to support the development of a standardized vulnerability assessment. In November, OPSD presented the work done under the Act 178 initiative to the HCDA Board and at the Propeller Club of Northern California's Storms, Flooding and Sea Level Defense Conference. CZM Staff contact is Sarah Chang.
- CZM Staff continue to work with Esri to build additional features to incorporate into the ORMP Dashboard, including an Esri Survey123 survey template and accompanying dashboard to be used for future community surveys.
- CZM Staff continue to work towards developing projects under Focus Area II: Land Based Pollution with respect to the CZM-funded report produced by UH Sea Grant: *Frameworks for Nonpoint Source Pollution Management in the Hawaiian Islands*. Due to competing CZM priorities over the last few months, the project development process has been delayed with anticipated prioritization in the upcoming months. Currently, CZM staff are taking steps to update existing planning guidance documents with contemporary non-point source pollution information and best management practices tailored for the Hawaiian Islands and to identifying effective mechanisms to increase land-based pollution reduction considerations among permit and EA/EIS reviewers and the public with these revised resources. CZM Staff contact is in recruitment.

#### Coastal Non-Point Pollution Control Program (CNPCP)

- No new activity.
- CZM Staff contact is Debra Mendes

#### Climate Change Adaptation

- OPSD Director and CZM Program Manager serve as Commissioners on the Climate Change Mitigation and Adaptation Commission.
- The next meeting date is TBD.
- CZM Staff contact is Justine Nihipali

#### Coastal Hazards

- Section 309 Coastal Hazards Strategy for the *Probabilistic Tsunami Design Zone Mapping – Maui Island (Phase II) and Kaua'i Island* contract executed January 20, 2021, is underway. The Contractor requested a contract extension, which was approved by NOAA. The new contract end date is September 30, 2023. A technical meeting for Kaua'i Island is anticipated to occur in early 2023.
- CZM Staff contact is Lisa Webster

#### County CZM Projects

- The CZM Program was provided the opportunity to extend an award for an additional 12-months to address delays due to disruptions from COVID-19 and has engaged with counties to develop scopes of work to continue previously funded project initiatives that enhance their abilities to meet program objectives and policies. These projects must be completed by December 2022.
- Hawai'i County has entered into Phases 4 & 5 of the Shoreline-Riparian Setback Project, *Shoreline Pursuit*. This allows continued leveraging of products in pursuit of island wide data and analysis to support coastal management objectives. Phase 4: Contract(s) and MOA were executed (May 2022) for UH-SDAV to continue data collection and processing of data in additional geographies/coastal areas. Phase 5: Contract(s) and MOA were executed (May 2022) for UH-SDAV to continue data processing, analyzing, and modelling findings. An extension request will be submitted.
- Request from the County of Hawai'i Planning Department for a one-year no-cost time extension to complete Phase 5 from December 31, 2022 to December 31, 2023 to Contract No. 70127 Shoreline and Riparian Setback Project – Phase 4 & 5: Enhanced Image Processing for Coastal Priority Areas, received October 11, 2022.

#### Other Initiatives

- Greenhouse Gas Sequestration Task Force. Three projects have been completed to meet objectives of Act 15, SLH 2018. CZM Staff contact is Justine Nihipali.
- Waikiki SLR Resilience and Adaptation Plan. OPSD received a budget line item of \$400,000 to support an initiative to develop a SLR plan for Waikiki. The initiative will be conducted in collaboration with the City and County of Honolulu Department of Planning and Permitting that received \$400,000 in county funding to develop a Waikiki Special Area Plan. This will be supported by the CZM program, with no additional State funding for staff capacity. CZM staff contact is Deb Mendes.
- CZM Program is involved with a number of external groups and activities:
  - Coral Reef Initiative Working Group (DLNR-DAR)
  - Hawaiian Islands Humpback Whale National Marine Sanctuary Advisory Council
  - Hawai'i Invasive Species Council (HISC) and HISC Resource Committee
  - State Hazard Mitigation Forum (HiEMA)
  - Coastal States Organization
  - Fisheries Local Action Strategy Hawai'i (FLASH)
- Continue to review environmental assessments/environmental impact statements to ensure CZM objectives, policies, and initiatives are considered.

Chair Fernandez asked that Dr. Bob Nishimoto, MACZAC member and Muliwai PIG Chair, as well as other Muliwai PIG members, be kept informed of any updates to the Muliwai/estuaries project, and that the Land-Based Pollution Report be redistributed to MACZAC members Scott Sullivan, Sue Sakai, and Kimbal Thompson for their review before the next MACZAC meeting.

Chair Fernandez also asked OPSD staff and MACZAC members to share their thoughts about the recent Hawai'i Congress of Planning Officials (HCPO) conference. Mary Alice Evans, Acting OPSD Director, noted that this was the first in-person HCPO since the pandemic, and that there were a wide range of panels covering topics from protecting coastal areas, to archaeological and cultural conservation, to addressing housing challenges, and that the conference was well run and thoroughly enjoyable. Chair Fernandez noted that he was impressed with the tremendous progress being made in the area of sea level rise adaptation, with policy proposals being made, and innovative ideas coming from the counties. Chair Fernandez noted that some of the counties are now using scientific projections of future sea level hazard impacts as a basis for creating ordinances for setbacks, rather than measuring a set distance from the high-water mark. Taryn Dizon, MACZAC member, also attended HCPO and was very impressed with the quality of panelists and breakout sessions. Ms. Dizon noted that Kaua'i was one of the pioneers in updating setback policies. Kimbal Thompson, MACZAC member, shared that he really enjoyed the keynote speaker at HCPO, who reminded the audience that planning is about people. Mr. Thompson noted that O'ahu had considered adopting updated setbacks but has decided to wait and consider the possible unanticipated consequences of such changes. Mr. Sullivan noted that he believes the updated Kaua'i County setbacks are the best and most inclusive policies so far. Chair Fernandez noted that there is a lot of interest around these policies, and that MACZAC might want to hear from the county planners working on them. Ms. Nihipali noted that the CZM Program provides funding through contracts with the counties to support personnel and projects including those focused on updating setbacks. Chair Fernandez encouraged all MACZAC members to try to attend future HCPO conferences.

## **V. Hotspots**

1. Kā'anapali Beach Restoration Project (Maui) - Mr. Jim Coon, MACZAC member, shared photos of Kā'anapali Beach erosion issues, which include collapsing trees and walkways, exposed pipes, a beached vessel, and closed beach access points. Ms. Donna Brown, MACZAC member, shared that she had visited Kā'anapali Beach in September and noticed that the other end of the beach, near Black Rock, was about twice as wide as usual, and that adding more sand in the eroding part of the beach might not be effective if the sand just moves to the other end of the beach. Mr. Scott Sullivan, MACZAC member, stated that adding more sand would at least provide a reserve of sand to the back shore to buffer the effects of erosion and would likely be an effective solution for the next 5-10 years. Mr. Sullivan also noted that there has been a lot of public opposition, so he isn't sure whether the project will go forward. Chair Fernandez suggested that MACZAC might want to provide recommendations to CZM to explore a Project of Special Merit project to inventory areas of moving sand, either needing erosion control or dredging, and identifying the barriers to addressing these issues. Sam Peck, member of the public, asked what the public concerns have been around this project, and Mr. Sullivan responded that the main concerns have been cultural, but that a bigger issue may be pushback for projects that support resorts

and condominiums instead of local homeowners. Chair Fernandez noted that this hotspot should be revisited at the next MACZAC meeting.

2. Lahaina brush fires and possible runoff (Maui) – Ms. Brown shared that there have been several large brushfires in the Lahaina area, fueled by strong winds, which have led to loss of vegetation, including many native plants, and that there will likely be serious runoff problems following these fires. Chair Fernandez asked if there is a watershed management group in the area, and Ms. Brown responded that she believes that Tova Callender is still the Coordinator for the West Maui Ridge to Reef Initiative. Chair Fernandez suggested reaching out to Ms. Callender for input and revisiting this issue at the next meeting, if necessary.

**VI. Report Back from MACZAC Member Attendance at the October 6, 2022 Ocean Resources Management Plan joint Coordinated Working Group and Council on Ocean Resources meeting**

Chair Fernandez attended the October 6, 2022 Ocean Resources Management Plan Joint Council and Coordinated Working Group meeting and noted that the primary area of discussion was around the two Project of Special Merit (PSM) proposals, (1) DHHL guidance or rules, and (2) an estuary-focused project. Both projects received very strong support from ORMP members, but CZM has decided to submit just one PSM this year, the DHHL shoreline guidance or rules PSM, due to staffing limitations.

**VII. Report Back from MACZAC member attendance at the October 28-30, 2022 Holomua 30x30 Outreach and Engagement Meetings on Maui**

Chair Fernandez shared that his nonprofit group, Hawai'i Fishermen's Alliance for Conservation and Tradition (HFACT), initiated a meeting in Kaua'i that led to the community requesting a second meeting to do a deeper dive into Holomua 30x30 which was held in Kekaha Community Center, with over 300 people in attendance. Attendees expressed significant concern about the Department of Aquatic Resources (DAR) Holomua 30x30 initiative. As a result of that meeting, Kaua'i community members requested that Brian Nielson, DAR Administrator, and key staff members go to Kaua'i and have a face-to-face meeting with Kaua'i community members. Chair Fernandez shared that MACZAC member, Taryn Dizon, attended the meeting that was convened between DAR staff and Kaua'i community members. Ms. Dizon shared that there were many community members along with local politicians at the meeting and that DAR was encouraged to do a better review of the Holomua 30x30 process. Ms. Dizon also noted that much of Kaua'i's coastline is already inaccessible due to large landowners, the Nā Pali Coast, and the Pacific Missile Range Facility, and that the community is concerned about losing access to an additional 30% of coastal waters.

Ms. Brown noted that she attended the Holomua 30x30 meeting in Kahului, Maui, and that there was a huge turnout at that meeting as well. As part of the meeting, there were large posters available with a list of issues, and attendees were encouraged to place stickers next to the issues they were most concerned about. Attendees were also asked to add any questions or additional issues to the posters using post-it notes. There was also a panel of 3 fishermen, with a moderator asking them questions. The question-and-answer session lasted approximately two hours, with many questions being asked of

the panel, and the entire meeting lasted about three hours. Many of the fishermen in attendance agreed that there are not as many fish as there used to be, and that some sort of bag limits or slot limits might be needed. DAR wants to work with communities to develop the Holomua 30x30 plan and there was a call for volunteers, specifically users of the ocean, to join the Maui Island Navigation Team. Ms. Brown added that several handouts were provided to allow for feedback to be given outside of the meeting, which Ms. Brown asked Ms. Webster to share with MACZAC members. Chair Fernandez noted that Kaua'i Island has rejected the concept of the Island Navigation Team, and instead will choose a few representatives to negotiate directly with DAR.

Mr. Coon, noted that the Hawaiian Islands Humpback Whale National Marine Sanctuary should probably be included as part of the 30% of coastal areas being managed, because it is so large. Mr. Coon noted that Holomua 30x30 updates should be provided at every MACZAC meeting to allow for MACZAC members to stay engaged in the process.

#### **VIII. Report back from MACZAC Muliwai PIG meeting, held November 22, 2022**

Dr. Bob Nishimoto shared slides and stated that the Muliwai, or estuaries, are fish nurseries. Estuaries look very different in different parts of the Hawaiian Islands, with ponds and estuaries being found in areas with more rain, and underwater springs being found in coastal areas with lower levels of rainfall. Everything starts in the mountains, where most of the rainfall occurs. Muliwai are transitional coastal areas where fresh and salt waters mix. The proposed scope of the Muliwai PIG is to identify key points to be included in an outreach resource for the fishing community and environmental groups, and to institutionalize the mauka-muliwai-makai connection. Dr. Nishimoto stated that the Muliwai PIG plans to meet again in early 2023 to continue working on identifying key points to be included in the outreach material, with an emphasis on the critical nature of these areas. The PIG will report back at the next MACZAC meeting. Chair Fernandez agreed that it is important to communicate the land-water connection to the general public.

#### **IX. Public Input on all agenda items**

Sam Peck, member of the public, asked about MACZAC structure and outputs. Chair Fernandez responded that MACZAC tries to meet quarterly, has representation from throughout the Hawaiian Islands, with members having various backgrounds and areas of expertise. MACZAC's primary task is to provide recommendations for the management of the coastal zone and nearshore waters, with recommendations going to the Director of the Office of Planning and Sustainable Development, and through the Director to other departments, as needed.

#### **X. New Business**

Chair Fernandez stated that agenda items for the next meeting should include updates on the Kā'anapali Beach Restoration Project, review of the Land-Based Pollution Report, and a second report back from the Muliwai PIG. Ms. Webster noted that she will review the meeting recording and follow up on any other agenda items noted during the meeting. Ms. Webster will also send a poll to MACZAC members to determine the next

meeting date, to be held sometime during the latter part of the legislative session. Dr. Nishimoto requested that MACZAC continue to meet in the hybrid format, if possible.

**XI. Adjournment**

The meeting was adjourned at 11:21 am.