

November 26, 2019

## BACKGROUND BRIEF

TO: Council Members  
Hawaii Ocean Partnership, Council on Ocean Resources  
State of Hawaii

FROM: Justine Nihipali, Coordinated Working Group Chair, and Melanie Lander, Project Analyst, Coastal Zone Management Program

### Introduction

The Hawaii Office of Planning (OP) Coastal Zone Management Program (CZM) was established in 1977 as a network program, built on the existing state and county agencies and their applicable laws and authorities. State and county agencies are required to enforce their rules in compliance with the objectives and policies of HRS Ch. 205A. The CZM seeks to enhance this network program through the Hawaii Ocean Resources Management Plan (ORMP).

Pursuant to HRS § 205A-62 the OP serves as the lead agency responsible for coordinating the implementation of the ORMP. The Council on Ocean Resources is responsible for the creation and approval of the plan, and further plan iterations are amended by the lead agency on a periodic basis. An update of the ORMP is currently underway, with the expected completion by March 31, 2020.

### Legal Authority

Hawaii Revised Statutes (HRS)

- §205A-61 Definitions:
  - "Plan" means the Hawaii Ocean Resources Management Plan, created and approved by the Hawaii ocean and marine resources council, as amended by the lead agency
  - "Lead agency" means the Office of Planning
- §205A-3(7): Directs the lead agency to "Prepare and periodically update a plan for use of coastal zone management funds to resolve coastal problems and issues that are not adequately addressed by existing laws and rules"
- §205A-3(11): Tasks the lead agency to "coordinate the implementation of the ocean resources management plan".
- §205A-62: The lead agency shall have the following duties and responsibilities:
  - (1) Coordinate overall implementation of the plan, giving special consideration to the plan's priority recommendations
  - (2) Review and periodically update the plan

### Governance Agreement

In July 2013, the Council on Ocean Resources adopted the Hawaii Ocean Partnership Agreement, a governance agreement document that formalizes Partner Agency roles in implementing HRS §§ 205A 61-64 to cooperatively plan and take collective action to implement the ORMP.

### Plan Update Status Appraisal and Activities

Upon commencing the plan update in 2017, OP-CZM undertook an assessment of the 2013 ORMP. The resulting analysis was presented to the Coordinated Working Group in April 2018. This evaluation included recommended changes (additions, removals) and areas for enhancement within

the document to improve its future processes. The Coordinated Working Group provided feedback on OP-CZM's needs analysis, which served as the foundation for the creation of a Request for Proposals to assist the OP-CZM Program with the update of the plan. In February 2019, PBR HAWAII & Associates, Inc. was selected as the contractor to support the OP-CZM Program in updating the ORMP. A Council on Ocean Resources and Coordinated Working Group joint meeting was held on May 22, 2019. This meeting provided an implementation update for the plan, including its background, governance, and statutory purpose. Additionally, an update timeline and objectives were shared with Council Members.

Since May 22, 2019 the plan update team has had several significant accomplishments:

- July 11, 2019: Coordinated Working Group Meeting—Discussion of criteria for focus area selection and Action Team creation.
- August 2019: Statewide Information Sharing Sessions, 8 meetings held: O'ahu (2), Maui, Lāna'i, Moloka'i, Kaua'i, and Hawai'i Island (2). In-person public engagement attended by 141 participants.
- August-September 2019: An online survey hosted same questions as in-person public meetings in order to broaden engagement, increase public input access and convenience, and utilize technological advancements since the last update process. Online public engagement reached 156 participants remotely.
- September 2019: ORMP Update hosted Traditional Ecological Knowledge Panel Discussion, "TEK: Ancient Wisdom-Future Best Practices" at the Hawaii Congress of Planning Officials, Maui, Hawaii, inspired by the integration of Hawaiian host culture and empirical scientific knowledge into the ORMP and other State and County planning efforts.
- September-October 2019: Interviews with Agency Delegates to verify plan information and query subject matter expertise on agency work areas, priorities, revised plan metrics, and recommendations for focus areas.
- October 3, 2019: Coordinated Working Group Meeting—Discussion of, and agreement to finalize, themes from the Information Sharing Sessions and Online Survey results and key elements including: Mission Statement, Vision Statement, and Subtitle.
- November 2019: Finalization of recommended 2020 ORMP Focus Areas for Council on Ocean Resources review and approval (based on public input from statewide Information Sharing Sessions and Online Survey as well as ORMP member and partner input in Coordinated Working Group meetings and individual delegate interviews).

#### Upcoming Council Actions

- December 5, 2019: Council on Ocean Resources and Coordinated Working Group joint meeting. Recommended Meeting Outcome: Approval of Focus Areas and Action Teams.
- February 2020: Review plan draft and provide comments to the update team.
- March 2020: Plan endorsement.

**Recommendations for the Council on Ocean Resources for December 5, 2019**

- 1. Approve the 2020 ORMP Focus Areas as priority recommendations for plan implementation through the creation and/or reformulation of three interagency Action Teams**
  - a. **Development and Coastal Hazards**: Reduce Impact of Built Environment on Coastal Resources and Decrease Vulnerability of Hawaii's Built Environment to Coastal Hazards
    - Existing Action Team. Team name, composition, and leadership to be reformulated and led by the Coastal Zone Management Program. Formerly Management Priority (MP) #1, Appropriate Coastal Development & MP #2, Management of Coastal Hazards
  - b. **Land-Based Pollution**: Reduce Runoff and Sources of Land-Based Pollution into Coastal Waters
    - New Action Team to be led by the Coastal Zone Management Program. Formerly MP #3, Watershed Management
  - c. **Marine Ecosystems**: Strengthen and Enhance Marine Ecosystems and their Ecological Services
    - Existing Action Team. Team name, composition, and leadership to be reformulated and led by the Department of Land and Natural Resources-Division of Aquatic Resources. Formerly MP #5, Coral Reef
- 2. Support renewed commitment to implementing the ORMP by endorsing the updated plan, endorsement to occur in March 2020.**