

Honolulu, Hawaii

APR 25 2007

RE: GOV. MSG. NOS. 619,  
620, 621, 622, 623,  
625, 626

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Madam:

Your Committee on Water, Land, Agriculture, and Hawaiian Affairs, to which was referred Governor's Message Nos. 619, 620, 621, 622, 623, 625, and 626, submitting for study and consideration the nominations of:

LEGACY LAND CONSERVATION COMMISSION

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| G.M. No. 619 | CARL J. BERG, JR., Ph.D.,<br>for a term to expire 6-30-2009;       |
| G.M. No. 620 | JOAN E. CANFIELD, Ph.D.,<br>for a term to expire 6-30-2008;        |
| G.M. No. 621 | CHARLES H. FLETCHER III, Ph.D.,<br>for a term to expire 6-30-2011; |
| G.M. No. 622 | HERBERT MONTEGUE RICHARDS, JR.,<br>for a term to expire 6-30-2011; |
| G.M. No. 623 | ROBERT J. SHALLENBERGER, Ph.D.<br>for a term to expire 6-30-2010;  |
| G.M. No. 625 | WESLEY KAIWI NUI YOON,<br>for a term to expire 6-30-2010; and      |
| G.M. No. 626 | KAREN G.S. YOUNG,<br>for a term to expire 6-30-2009,               |

begs leave to report as follows:

2007-2946 GM SSCR SMA.doc



Your Committee reviewed the personal histories, resumes, and statements submitted by the nominees, and finds Carl J. Berg, Jr.; Joan E. Canfield; Charles H. Fletcher III; Herbert Montegue Richards, Jr.; Robert J. Shallenberger; Wesley Kaiwi Nui Yoon; and Karen G.S. Young to have the necessary qualifications to be nominated to the Legacy Land Conservation Commission.

This is the inaugural class of nominees to serve on the Legacy Land Conservation Commission, which was established under Act 254, Session Laws of Hawaii 2006, to advise the Department and Board of Land and Natural Resources on any proposal or recommendation for the acquisition of any interest or rights in land having value as a resource to the State, and on any requests for grants from the Land Conservation Fund. Members of the Commission are required to possess scientific qualifications as evidenced by an academic degree in various fields of environmental-related sciences, have membership in an environmental organization, land conservation organization, or statewide agricultural association, or be knowledgeable about Native Hawaiian culture.

Testimony in support of Dr. Carl J. Berg, Jr. was submitted by the Department of Land and Natural Resources and one individual.

Dr. Berg received his Bachelor of Arts degree in Zoology, cum laude, from the University of Connecticut, his Master in Science degree of Marine Science from the University of the Pacific, and his Doctorate in Zoology from the University of Hawaii at Manoa. He is currently the Chief Scientist at the Hanalei Watershed Hui where he was able to secure funding and coordinated a multi-agency program to improve the water quality in the Hanalei Bay ahupua'a on Kauai. He is also the owner and guide of Hawaiian Wildlife Tours and is the Senior Scientist for the Hawaii Wildlife Fund. Dr. Berg is a member of Ecological Society of America, the Explorers Club, and the Western Society of Naturalists. He currently serves as a volunteer for the Kilauea Point National Wildlife Refuge, an Officer on the Board of Directors of 1000 Friends of Kauai, and a member of the Hawaiian Monk Seal Team, and has extensive prior community activity involvement.

Dr. Berg has been nominated to serve as the Kauai representative and as a member possessing scientific qualifications as evidenced by his academic degrees in Zoology and



Marine Science. His background in population ecology and watershed management, along with his extensive academic achievements and professional experience, makes Dr. Berg an invaluable asset to the Legacy Land Conservation Commission as one of its inaugural members.

Testimony in support of Joan E. Canfield, Ph.D. was submitted by the Department of Land and Natural Resources and nine individuals.

Dr. Canfield received her Bachelor of Arts degree in Biology from Oberlin College, her Master of Science in Botany from the University of Washington, and her Doctorate in Botany from the University of Hawaii at Manoa. She is an Affiliate Graduate Faculty member of the Department of Botany at the University of Hawaii at Manoa. She has considerable experience in grant proposal review and broad knowledge of Hawaii's ecological resources. She has carried out research in the Alaka'i Swamp on Kaua'i, on the Big Island's ohia forests, and on endangered Mauna Kea and Mauna Loa silverswords. Dr. Canfield has a particularly strong background in endangered species listing packages and responding to lawsuits on lists and designation of critical habitat for Hawaiian species. She is also very active in Hawaii Public Radio by serving as the station's classical music host and is responsible for the classical music database and used music sale.

Dr. Canfield has been nominated to serve as a Oahu representative and as a member possessing scientific qualifications as evidenced by her academic degrees in Botany. Her broad conservation experience and specialized knowledge of Hawaii's ecological resources across the State, along with her extensive academic achievements and professional experience, makes Dr. Canfield an invaluable asset to the Legacy Land Conservation Commission as one of its inaugural members.

Testimony in support of Charles H. Fletcher III, Ph.D. was submitted by the Department of Land and Natural Resources; the Dean of the School of Ocean and Earth Science and Technology at the University of Hawaii; the Sierra Club, Hawaii Chapter; and three individuals.

Dr. Fletcher received his Bachelor of Science degree in Geological Science and English Literature from Albion College and his Master of Science degree and Doctorate in Coastal Marine



Geology from the University of Delaware. He is currently the Department Chairperson of and a tenured Professor at the Department of Geology and Geophysics at the University of Hawaii at Manoa, and serves as the Principal Advisor for three graduate students. His principal research interests include Coastal Sedimentary Geology, Carbonate Reefs, and Coastal Management, and during his last fourteen years at the University, he has secured over \$5,000,000 in extramural research funding. Dr. Fletcher served as a Technical Advisor to the Department of Land and Natural Resources' Office of Conservation and Coastal Lands, and as part of a three-person team that participated in writing Maui County's coastal setback law. He has received several community and public service awards recognizing his dedication as a faculty member and a researcher to the community. Most recently, he was awarded the Hung Wo and Elizabeth Lau Ching Foundation Award for Faculty Service to the Community.

Dr. Fletcher has been nominated to serve as a Oahu representative and as a member possessing scientific qualifications as evidenced by his academic degrees in Geological Sciences. His unique expertise from his academic discipline, his extensive community involvement, and his demonstrated commitment and desire to preserve and sustain Hawaii's natural resources makes Dr. Fletcher an invaluable asset to the Legacy Land Conservation Commission as one of its inaugural members.

Testimony in support of Herbert Montegue Richards, Jr. was submitted by the Department of Land and Natural Resources, the Hawaii Agriculture Research Center, the Hawaii Farm Bureau Federation, and two individuals.

Mr. Richards is a graduate of California State Polytechnic College in San Luis Obispo, California, and has been with the Kahua Ranch Limited located in Kamuela, Hawaii since 1953. He is a well-respected Big Island rancher and a member of several agricultural, environmental, and historical organizations within the State. He has served on a long and diverse list of committees, boards, and commissions in Hawaii, and is a Board Member of Parker Ranch, Inc.; the Nature Conservancy; the Agricultural Leadership Foundation of Hawaii; the Lyman House Memorial Museum; and several other foundations and organizations. He has served as a member on the University of Hawaii Board of Regents, the Hawaii County Police Commission, the Governor's Agriculture Coordinating Committee, and the Commission on Water Resource Management.



Mr. Richards has been nominated to serve as a Big Island representative and as a person possessing membership in a statewide agricultural association. His lifetime of agricultural expertise and his extensive experience in commission membership and land use and conservation makes Mr. Richards an invaluable asset to the Legacy Land Conservation Commission as one of its inaugural members.

Testimony in support of Robert J. Shallenberger, Ph.D.'s nomination was submitted by the Department of Land and Natural Resources and two individuals.

Dr. Shallenberger received his Bachelor of Arts degree from Whitman College, and he received his Master and Doctorate degrees in Ornithology and Animal Behavior from the University of California at Los Angeles. He conducted his doctoral research on biology of Hawaii seabirds and has done additional research on Hawaii forest birds, dolphins, monk seals, reef fish, and aquaculture species. He currently serves as the Hawaii Island Conservation Director for the Nature Conservancy of Hawaii where he is responsible for the management of Nature Conservancy lands, the development of watershed partnerships, and the support for marine and coastal conservation projects. He also has extensive wildlife management experience with the United States Fish and Wildlife Service, and has served both locally, as the Manager for the Midway Atoll National Wildlife Refuge, and nationally, as Chief of the United States Fish and Wildlife Service Division of Refuges.

Dr. Shallenberger has been nominated to serve as a Big Island representative and as a member possessing scientific qualifications as evidenced by his academic degrees in Animal Sciences. His unique expertise from his academic discipline, his devotion of most of his thirty-five year career to the assessment, acquisition, and management of important resource lands and waters, and his demonstrated commitment and desire to preserve and sustain Hawaii's natural resources makes Dr. Shallenberger an invaluable asset to the Legacy Land Conservation Commission as one of its inaugural members.

Testimony in support of Wesley Kaiwi Nui Yoon's nomination was submitted by the Department of Land and Natural Resources, the Office of Hawaiian Affairs, the Native Hawaiian Historic



Preservation Council at the Office of Hawaiian Affairs, 'Ahahui Malama I Ka Lokahi, and five individuals.

Mr. Yoon graduated magna cum laude from Kamehameha Schools and received his Bachelor of Arts degree in Architecture from the University of Hawaii at Manoa. He currently serves as the Director of Cultural Affairs at the Royal Hawaiian Shopping Center where he oversees all cultural activities, serves as a liaison with the Native Hawaiian community, coordinates marketing, operations, and development plans, and develops and coordinates community outreach. He is formally trained as an architect with emphasis in Native Hawaiian land use and architecture. Prior to his employment at the Royal Hawaiian Shopping Center, Mr. Yoon served as a Project Designer for Architects Hawaii, Ltd. where he was instrumental in the planning of the Office of Hawaiian Affairs Office and Cultural Center, and the Kamehameha Schools Life Sciences Building in Kakaako. He also has experience in market strategy, and research and business management. He is a member of several Native Hawaiian organizations and of the Kamehameha Schools Alumni Association.

Mr. Yoon has been nominated to serve as an Oahu representative and as a member knowledgeable about Native Hawaiian culture. His strong connection with Native Hawaiian communities and his knowledge of Native Hawaiian culture and practices makes Mr. Yoon an invaluable asset to the Legacy Land Conservation Commission as one of its inaugural members.

Testimony in support of Karen G.S. Young's nomination was submitted by the Department of Land and Natural Resources; a Representative from the Hawaii State House of Representatives; the Sierra Club, Hawaii Chapter; the Wai'anae Community Re-Development Corporation; the Ma'o Community Food Security Initiative, Ma'o Organic Farms; and one individual.

Ms. Young received her Bachelor of Science degree in Nursing from the University of Hawaii at Manoa, her Womens' Health Nurse Practitioner Certificate from the University of California at Los Angeles Harbor General Hospital, her Master of Public Health degree in Maternal Child Health from the University of Hawaii at Manoa, and her Master of Science in Nursing degree as a Nurse Practitioner from the Western University of Health Sciences. She currently serves as a Clinical Preceptor at the Wai'anae Comprehensive Health Center where she supervises nurses, nurse



practitioners, and students in other health professions to meet the objectives of their clinical experience at the Health Center. She also serves as the Womens' Health Consultant and Family Nurse Practitioner at the Wai'anae Comprehensive Health Center. She is involved in many innovative local programs, including anti-litter and beautification organizations, a local women's organization, and a community-based self-sufficiency teaching farm. Ms. Young is a member of the Sierra Club and the Hawaiian Trail and Mountain Club.

Ms. Young has been nominated to serve as an Oahu representative and as a person possessing membership in an environmental organization in the State. Her diverse community perspective and viewpoint as well as her strong concern for public health and benefit makes Ms. Young an invaluable asset to the Legacy Land Conservation Commission as one of its inaugural members.

As affirmed by the records of votes of the members of your Committee on Water, Land, Agriculture, and Hawaiian Affairs that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Respectfully submitted on  
behalf of the members of the  
Committee on Water, Land,  
Agriculture, and Hawaiian  
Affairs,

  
RUSSELL S. KOKUBUN, Chair



The Senate  
 Twenty-Fourth Legislature  
 State of Hawaii

**Record of Votes of the  
 Committee on Water, Land, Agriculture, and Hawaiian Affairs  
 WAH  
 (Advise and Consent)**

|   |                                   |                         |
|---|-----------------------------------|-------------------------|
| Governor's Message No.:*<br><b>GM 619</b> | Committee Referral:<br><b>WAH</b> | Date:<br><b>4/16/07</b> |
|---|-----------------------------------|-------------------------|

The Committee is reconsidering its decision.

The Recommendation is to:

Advise and Consent  
 (2340)

Not Advise and Consent  
 (2345)

| Members                 | Aye      | Aye (WR) | Nay      | Excused  |
|-------------------------|----------|----------|----------|----------|
| KOKUBUN, RUSSELL S. (C) | X        |          |          |          |
| TOKUDA, JILL N. (VC)    | X        |          |          |          |
| FUKUNAGA, CAROL         | X        |          |          |          |
| HEE, CLAYTON            | X        |          |          |          |
| SLOM, SAM               | X        |          |          |          |
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| <b>TOTAL</b>            | <b>5</b> | <b>0</b> | <b>0</b> | <b>0</b> |

Recommendation:  Adopted  Not Adopted

Chair's or Designee's Signature: 

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\*Only one Governor's Message per Record of Votes



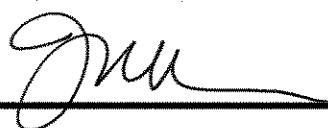
The Senate  
 Twenty-Fourth Legislature  
 State of Hawaii

**Record of Votes of the  
 Committee on Water, Land, Agriculture, and Hawaiian Affairs  
 WAH  
 (Advise and Consent)**

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|---|-----------------------------------|-------------------------|----------------------------------|-------------------------|
| Governor's Message No.:*<br><b>GM 620</b>   | Committee Referral:<br><b>WAH</b> | Date:<br><b>4/16/07</b> |                                  |                         |
| <input type="checkbox"/> The Committee is reconsidering its decision.   |                                   |                         |                                  |                         |
| The Recommendation is to:   |                                   |                         |                                  |                         |
| <input checked="" type="checkbox"/> Advise and Consent (2340) <span style="margin-left: 200px;"><input type="checkbox"/> Not Advise and Consent (2345)</span> |                                   |                         |                                  |                         |
| Members   | Aye                               | Aye (WR)                | Nay                              | Excused                 |
| KOKUBUN, RUSSELL S. (C)   | <i>[Handwritten mark]</i>         |                         |                                  |                         |
| TOKUDA, JILL N. (VC)  | <i>[Handwritten mark]</i>         |                         |                                  |                         |
| FUKUNAGA, CAROL   | <i>[Handwritten mark]</i>         |                         |                                  |                         |
| HEE, CLAYTON  | <i>[Handwritten mark]</i>         |                         |                                  |                         |
| SLOM, SAM   | <i>[Handwritten mark]</i>         |                         |                                  |                         |
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| Recommendation:   |                                   |                         |                                  |                         |
| <input checked="" type="checkbox"/> Adopted <span style="margin-left: 200px;"><input type="checkbox"/> Not Adopted</span>                                     |                                   |                         |                                  |                         |
| Chair's or Designee's Signature:  |                                   |                         |                                  |                         |
| <i>[Handwritten Signature]</i>  |                                   |                         |                                  |                         |
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**Record of Votes of the  
 Committee on Water, Land, Agriculture, and Hawaiian Affairs  
 WAH  
 (Advise and Consent)**

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| Governor's Message No.:*   | Committee Referral:      | Date:                   |                                  |          |
| GM 621   | WAH                      | 4/16/07                 |                                  |          |
| <input type="checkbox"/> The Committee is reconsidering its decision.  |                          |                         |                                  |          |
| The Recommendation is to:  |                          |                         |                                  |          |
| <input checked="" type="checkbox"/> Advise and Consent (2340) <input type="checkbox"/> Not Advise and Consent (2345) |                          |                         |                                  |          |
| Members  | Aye                      | Aye (WR)                | Nay                              | Excused  |
| KOKUBUN, RUSSELL S. (C)  | <i>[Signature]</i>       |                         |                                  |          |
| TOKUDA, JILL N. (VC)   | <i>[Signature]</i>       |                         |                                  |          |
| FUKUNAGA, CAROL  | <i>[Signature]</i>       |                         |                                  |          |
| HEE, CLAYTON   | <i>[Signature]</i>       |                         |                                  |          |
| SLOM, SAM  | <i>[Signature]</i>       |                         |                                  |          |
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| Recommendation:  |                          |                         |                                  |          |
| <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted                                     |                          |                         |                                  |          |
| Chair's or Designee's Signature:   |                          |                         |                                  |          |
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The Senate  
 Twenty-Fourth Legislature  
 State of Hawaii

**Record of Votes of the  
 Committee on Water, Land, Agriculture, and Hawaiian Affairs  
 WAH  
 (Advise and Consent)**

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| Governor's Message No.:*<br><b>GM 622</b>   | Committee Referral:<br><b>WAH</b> | Date:<br><b>4/16/07</b> |                                  |          |
| <input type="checkbox"/> The Committee is reconsidering its decision.   |                                   |                         |                                  |          |
| The Recommendation is to:   |                                   |                         |                                  |          |
| <input checked="" type="checkbox"/> Advise and Consent (2340) <span style="margin-left: 150px;"><input type="checkbox"/> Not Advise and Consent (2345)</span> |                                   |                         |                                  |          |
| Members   | Aye                               | Aye (WR)                | Nay                              | Excused  |
| KOKUBUN, RUSSELL S. (C)   | <i>[Signature]</i>                |                         |                                  |          |
| TOKUDA, JILL N. (VC)  | <i>[Signature]</i>                |                         |                                  |          |
| FUKUNAGA, CAROL   | <i>[Signature]</i>                |                         |                                  |          |
| HEE, CLAYTON  | <i>[Signature]</i>                |                         |                                  |          |
| SLOM, SAM   | <i>[Signature]</i>                |                         |                                  |          |
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| <b>TOTAL</b>  | <i>5</i>                          | <i>0</i>                | <i>0</i>                         | <i>0</i> |
| Recommendation:   |                                   |                         |                                  |          |
| <input checked="" type="checkbox"/> Adopted <span style="margin-left: 150px;"><input type="checkbox"/> Not Adopted</span>                                     |                                   |                         |                                  |          |
| Chair's or Designee's Signature:  |                                   |                         |                                  |          |
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