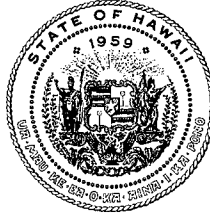
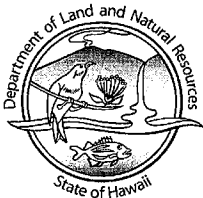


LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL Y. TSUJI
FIRST DEPUTY

KEN C. KAWAHARA
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAIHOOLOAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**TESTIMONY OF THE CHAIRPERSON
OF THE BOARD OF LAND AND NATURAL RESOURCES**

**on SENATE BILL 2154 – RELATING TO A PILOT COMMUNITY CONSERVATION
PROGRAM**

**BEFORE THE SENATE COMMITTEE ON
WATER AND LAND**

February 11, 2008

Senate Bill 2154 proposes to establish a five-year pilot community conservation program to educate ocean resource users on resource protection laws within the Department of Land and Natural Resources' (Department) Division of Conservation and Resources Enforcement (DOCARE), Maui Branch. While the Department supports the intent of this bill, the Department nonetheless has concerns with the fiscal implications this bill will have on the Executive Supplemental Budget request and the impact on the Department's request to increase statewide conservation resource enforcement staffing.

The pilot community conservation program called for in this bill would train volunteers in resource laws and enforcement, conduct education and outreach to natural resource users, coordinate with makai watch communities, enforce all natural resource laws, and identify new rules necessary to ensure long term sustainability of near-shore marine resources. The bill also proposes to establish additional conservation and resources enforcement officer supervisory positions, an accountant position, an educational specialist position, a research statistician position, a mechanic's positions, and additional clerk typist positions within DOCARE's Maui Branch.

The Department supports providing additional staff and funding resources for the Department's DOCARE branches across the State, and the Department has been working closely with the Legislature to obtain the necessary funds for this broader initiative. While the Department applauds the intent of this bill and the passion of our Maui residents, the Department must be mindful that all our islands are crying out of additional enforcement. Rather than passing out this measure, the Department respectfully asks for the Legislature's support of the addition of eleven conservation and resources enforcement positions and four clerk typist positions for deployment statewide to each of the four counties as identified in the Department's supplemental budget request. These additional positions would increase needed staffing statewide and would help improve conservation enforcement capabilities in each of the four counties.

testimony

From: MMMMahalo2000@aol.com
Sent: Friday, February 08, 2008 12:13 PM
To: testimony
Subject: Sen. Committee on Water & Land 2/11/8 2:30 PM SB 2154

**To: Senator Clayton Hee, Chair
Senator Russell Kokubun, Vice-Chair & Members of the
Committee on Water and Land**

From: Mike Moran,
Kihei, Maui, Hi, 96753

Re. Hearing on SB 2154, relating to a pilot community conservation program.

February 11, 2008 at 2:30PM.

Conference Room 414, State Capitol

Testimony in Support,

Please support this bill regarding enforcement. Our DOCARE officers on Maui are overwhelmed trying to protect our natural resources on land & sea. We finally have a justified enforcement plan that makes sense. Please pass this bill.

Sincerely,

Mike Moran

Who's never won? [Biggest Grammy Award surprises of all time on AOL Music.](#)

testimony

From: Robert Wintner [robertw@snorkelbob.com]
Sent: Friday, February 08, 2008 9:48 AM
To: testimony
Subject: SB 2154

I support SB 2154 relating to a pilot community conservation program on Maui. My name is Robert Wintner and my phone is 874-8405. I reside in South Maui.

Our DOCARE Branch Officer Randy Awo is among the most capable, conscientious and effective resource managers I've met in Hawaii. He has a level head and an open heart for habitat and species. He will attract recognition and cooperation from the community on this program, as well as participation & cooperation from many tourists who love our near shore waters & call my business constantly, seeking protection enforcement for our near shore habitat and species.

Thank you,

Robert Wintner

**To: Senator Clayton Hee, Chair
Senator Russell Kokubun, Vice-Chair & Members of the
Committee on Water and Land**

**From: Darrell Tanaka,
Haiku, Maui, Hi, 96708**

Re. Hearing on SB 2154, relating to a pilot community conservation program.

February 11, 2008 at 2:30pm.

Conference Room 414, State Capitol

Testimony in Support,

Dear Chair Hee and committee members, thank you for hearing my testimony regarding enforcement. Lack of enforcement on Maui has been a long on-going concern for many fishermen such as myself. Finally, the people have a justified enforcement plan that makes sense and is detailed to meet the needs of the Division as well as the public. We finally will have efficiency within DOCARE and the communities needs will finally be met. Please pass this bill,

Sincerely,
Darrell Tanaka

testimony

From: Dexter.P.Tom@hawaii.gov
Sent: Friday, February 08, 2008 2:33 PM
To: testimony
Subject: SB2154-RELATING TO A PILOT COMMUNITY CONSERVATION PROGRAM

The Honorable Clayton Hee, Chair
and Members
Committee on Water and Land
Hawaii State Senate
State Capitol
Honolulu, Hawaii 96813

Senate Committee on Water and Land (WTL)
Hearing Date: Monday, February 11, 2008
Hearing Time: 2:30p.m.
Bill No. SB 2154

Dear Chair Hee and Members:

SUBJECT: Senate Bill No. 2154, Relating to a Pilot Community Conservation Program.

I am Dexter Tom, Supervisor for the Department of Land and Natural Resources, Division of Conservation and Resources Enforcement. I support Senate Bill No. 2154, Relating To A Pilot Community Conservation Program.

The intent of this bill is to create a meaningful and sustainable partnership with our communities in order to better manage and protect Hawaii's unique and treasured natural and cultural resources.

This bill will allow us to assign officers to a specific geographical location, as officers can interact with community members, educating them on our conservation laws. Hopefully, the public will gain trust and respect for our officers, and create a network which will involve gathering information on resource violations, and reporting them directly to our officers.

Educating our youths within our schools, and educating the general public, is the key in sustaining our natural resources.

In keeping up with our growing population, and visitors who flock to our islands due to its natural beauty, this bill will help us increase our work force.

I humbly request that you support this bill, and would like to thank you for allowing me to testify.

Dexter TOM/

DLNR-Supervisor

2/8/2008

**The Honorable Clayton Hee, Chair
and Members
Committee on Water and Land
Hawaii State Senate
State Capitol
Honolulu, Hawaii 96813**

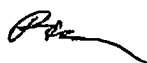
**Senate Committee on Water and Land (WTL)
Hearing Date: Monday, February 11, 2008
Hearing Time: 2:30p.m.
Bill No. SB 2154**

SUBJECT: Senate Bill No. 2154, Relating to a Pilot Community Conservation Program.

Dear Chair Hee and Members:

I am Russell K. Kapahulehua of Maui. I am also a Conservation Resources Enforcement Officer with the State of Hawaii, Department of Land and Natural Resources, Maui Branch, East District. I am writing in support of Senate Bill No. 2154, Relating to a Pilot Community Conservation Program.

I believe that education is a key component in conservation resources enforcement. I feel that the model outlined in this bill will further build a better working relationship between DLNR/DOCARE and the community. I humbly ask for your support in passing this bill. Thank you very much for your hard work, and dedication to the citizens and natural resources of this great state, "Hawaii".

Respectfully Submitted,
Russell K. Kapahulehua 
02/08/08 11:30 a.m.

The Honorable CLAYTON HEE,
Chair and Members Committee on
Water and Land
Hawaii State Senate
State Capitol
Honolulu, Hawaii 96813

Senate Committee of Water and Land (WTL)
Hearing Date: Monday, February 11, 2008
Hearing Time: 2:30pm
Bill No. SB 2154

Dear Chair HEE and respected Members of the Committee:

SUBJECT: Senate Bill No. 2154, Relating to a Pilot Community Conservation Program.

My name is John P. DE JESUS. I am a Conservation and Resources Enforcement Officer for the State of Hawaii and am currently assigned to the Island and County of Maui.

I have been in Law Enforcement field, going on ten years now. I began my Police experience with the State of Alaska then in Oregon and finally here in Hawaii. The concept of "Community Policing" has been around for as long as I have been in the Law Enforcement field.

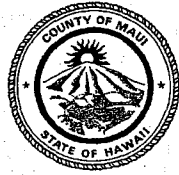
I have seen the benefits of the program first hand and would like to express my strong SUPPORT for Senate Bill 2154.

Thank you for your time.

Respectfully,

/signed/
John P. de Jesus

CHARMAINE TAVARES
MAYOR



200 South High Street
Wailuku, Hawaii 96793-2155
Telephone (808) 270-7855
Fax (808) 270-7870
E-mail: mayors.office@mauicounty.gov

OFFICE OF THE MAYOR
County of Maui

February 6, 2008

The Honorable Clayton Hee, Chair
and Members of Senate Committee on Water and Land
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

**RE: SB 2154 – RELATING TO A PILOT COMMUNITY CONSERVATION
PROGRAM**

Dear Chair Hee and Members:

Thank you for this opportunity to provide testimony in support of Senate Bill 2154, which creates a pilot community conservation program in conjunction with existing partnerships on the island of Maui. This pilot project is extensive and will require major funding to carry out. However, when millions of dollars in ecosystem goods and services are at stake, spending \$650,000 over five years to protect them seems a very small price to pay.

SB 2154 will hold the DLNR Division of Conservation and Resources Enforcement (DOCARE) accountable for this pilot program through regular reporting, detailing their successes as well as their recommendations for improvement. Lawmakers will have ample opportunity to provide their feedback and recommendations as the program progresses, giving it every chance to succeed.

This is a very important endeavor and I commend DOCARE for taking this bold step to protect our natural resources. The County of Maui is willing to lend its support to this pilot program and assist DOCARE and its partners as best as it can.

I fully support SB 2154 and ask for your favorable consideration of this critical measure.

Sincerely,


CHARMAINE TAVARES
Mayor, County of Maui

testimony

From: Christine Manlapao [cmanlapao@hotmail.com]
Sent: Friday, February 08, 2008 3:56 PM
To: testimony
Subject: Senate Bill No. 2154, Relating to a Pilot Community Conservation Program

The Honorable CLAYTON HEE,
Chair and Members Committee on
Water and Land
Hawaii State Senate
State Capitol
Honolulu, Hawaii 96813

Senate Committee of Water and Land (WTL) Hearing Date: Monday, February 11, 2008 Hearing
Time: 2:30pm Bill No. SB 2154

Dear Chair HEE and respected Members of the Committee:

SUBJECT: Senate Bill No. 2154, Relating to a Pilot Community Conservation Program.

Dear Chair Hee and Members:

My name is HILBERT MANLAPAO of Maui Branch District. I am a Conservation Resources Enforcement Officer with the State of Hawaii, Department of Land and Natural Resources. I am writing in support of Senate Bill No. 2154, Relating to a Pilot Community Conservation Program.

I strongly believe that education and partnership with the community is the key component in conservation resources enforcement. A bond of respect and trust between the people and DLNR/DOCARE allows for an environment where there is a cooperative effort to solve problems. I strongly express my unwavering support in passing the Senate Bill 2154. Thank you for your support, and urge your committee to pass this bill.

Respectfully submitted,
Hilbert Manlapao

Need to know the score, the latest news, or you need your Hotmail®-get your "fix".
<http://www.msnmobilefix.com/Default.aspx>

testimony

From: John Yamamoto [nightmenehune@yahoo.com]

Sent: Friday, February 08, 2008 5:50 PM

To: testimony

Subject: Testimony on Support of bill SB 2154

To. The Honorable Clayton Hee, and Members of the Senate Committee of Water and Land.

I John Yamamoto would like to ask that this Committee support SB 2154 .

It is a good bill that I think will bring the public closer to D.L.N.R. by making the public thru education, more aware of how valuable and precious our resources are in this State of Hawaii we live in. I humbly ask your support in this very important matter

Thank You
John Yamamoto

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The Honorable Clayton Hee, Chair
and Members
Committee on Water and Land
Hawaii State Senate
State Capitol
Honolulu, Hawaii 96813

LATE TESTIMONY

Senate Committee on Water and Land (WTL)
Hearing Date: Monday, February 11, 2008
Hearing Time: 2:30p.m.
Bill No. SB 2154

SUBJECT: Senate Bill No. 2154, Relating to a Pilot Community Conservation Program.

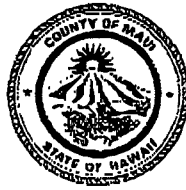
Dear Chair Hee and Members:

I am Howard J RODRIGUES of Maui. I am also a Conservation Resources Enforcement Officer with the State of Hawaii, Department of Land and Natural Resources, Maui Branch, East District. I am writing in support of Senate Bill No. 2154, Relating to a Pilot Community Conservation Program.

I believe that education is a key component in conservation resources enforcement. I feel that the model outlined in this bill will further build a better working relationship between DLNR/DOCARE and the community. I humbly ask for your support in passing this bill. Thank you very much for your hard work, and dedication to the citizens and natural resources of this great state, "Hawaii".

Respectfully Submitted,
Howard J RODRIGUES
02/09/08 7:00 p.m.

CHARMAINE TAVARES
MAYOR



OFFICE OF THE MAYOR
County of Maui

200 South High Street
Wailuku, Hawaii 96793-2155
Telephone (808) 270-7855
Fax (808) 270-7870
e-mail: mayors.office@mauicounty.gov

February 6, 2008

The Honorable Clayton Hee, Chair
Committee on Water and Land
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

LATE TESTIMONY

RE: SB 2154 – RELATING TO A PILOT COMMUNITY
CONSERVATION PROGRAM

Dear Senator Hee and Members:

Thank you for this opportunity to provide testimony in support of Senate Bill 2154, which establishes within the State Division of Conservation and Resources Enforcement (DOCARE), Maui District Office, a five-year pilot community conservation program to educate ocean resource users on resource protection laws utilizing existing partnerships, such as Makai Watch.

In an unprecedented move, the program also provides for dedicated DOCARE officers to be assigned to two critical areas, Lahaina and Kaanapali, where ocean recreation activities are extremely high. This allows DOCARE officers to become intimately familiar with the natural resources, conservation issues, and people within these areas. Regular interactions with the community and consistent opportunities to educate people about Maui's natural resources in these two areas will undoubtedly lead to a higher level of cooperation and better protection of its marine ecosystems.

SB 2154 is designed to hold the Maui DOCARE Office accountable for this out-of-the box attempt to educate people about Maui's ocean resources and their individual Kuleana in caring for them. I have every confidence in DOCARE Branch Chief Randy Awo and his staff's ability to deliver a successful program, but will be happy to assist them in any way I can.

Thank you for your favorable consideration of this critical measure.

Sincerely,

Kuheha Paracuelles
Maui County Environmental Coordinator

**Testimony for SB 2154
RELATING TO A PILOT COMMUNITY CONSERVATION PROGRAM
Committee on Land and Water
February 11, 2008 – 2:30 p.m.
Kuhea Paracuelles, Maui County Environmental Coordinator**

Aloha Chair Hee and committee members. My name is Kuhea Paracuelles and I am the Environmental Coordinator for the County of Maui. Thank you for this opportunity to testify this afternoon in support of Senate Bill 2154, which establishes a five-year pilot community conservation program to educate ocean resource users on resource protection laws within the moku of Lahaina and the moku of Kaanapali. Both of these are high use areas by residents and visitors and merit a closer look.

I find this pilot program both exciting and sensible. It takes advantage of community partnerships that are already in place and builds upon that foundation. It works to empower the community through consistent educational opportunities and helps them to make better decisions about when and how they interact with Maui's ocean resources. It allows DOCARE officers to become intimately familiar with the natural resources, conservation issues, and people of these areas. They will become people that the community will trust because they know that these DOCARE officers are committed to these areas and know what's going on day to day.

While the cost of conducting this pilot program may sound too extensive to some, when you compare that cost, \$650,000 over five years, to the millions of dollars worth of ecosystem goods and services that are being protected each year, it quickly proves itself a highly worthy investment. We stand to lose more than we could ever imagine if we don't attempt something as bold and innovative as what is proposed in this bill. The savings would not justify the ultimate loss.

I have had the pleasure of working with the Maui Docare Office, under the supervision of Branch Chief Randy Awo for the past year. Without a single ounce of hesitation, I can assure you that they will deliver in this pilot program. They are willing to be held accountable through regular reporting to the legislature and will be open and ready to make adjustments to the program as needed. They have demonstrated their effectiveness and efficiency to the people of Maui County time and time again, and I have no doubt that they will turn this pilot program into a model for the entire state of Hawaii. The DLNR and the County of Maui have developed a sound working relationship and we pledge our support to them and this pilot program.

Thank you very much for your time!

To: **Senator Clayton Hee, Chair**

Senator Russell Kokubun, Vice-Chair & Members of the

Committee on Water and Land

From: **Amy Miller,**

Kihei, Maui, Hi, 96753

Re. **Hearing on SB 2154, relating to a pilot community conservation program.**

February 11, 2008 at 2:30pm.

Conference Room 414, State Capitol

Testimony in Support,

Dear Chair Hee and committee members,

Thank you for hearing my testimony regarding enforcement. Lack of enforcement on Maui has been a long on-going concern. I have been a captain of snorkel and whale watching boats in Maui County for over 10 years. I have seen a dramatic decrease in the reef fish populations over the years. I am concerned for the health of the reefs as well as the eco systems as a whole as we continue to watch the reef population plummet. It is time to take care of our reefs and have a limit on the amount of ornamental fish being shipped out of the state.

Finally the people have a justified enforcement plan that makes sense and is detailed to meet the needs of the Division as well as the public. We will finally have efficiency within DOCARE and the communities needs will be met. Please pass this bill.

Sincerely,

Amy Miller

LATE TESTIMONY

testimony

From: Robin Newbold [robin@mauirobin.com]
Sent: Saturday, February 09, 2008 7:32 PM
To: testimony
Subject: Support of SB 2154

LATE TESTIMONY

**To: Senator Clayton Hee, Chair
Senator Russell Kokubun, Vice-Chair &
Members of the Committee on Water and Land**

From: Robin Newbold, Marine Biologist

Re: Hearing on SB 2154, relating to a pilot community conservation program.

February 11, 2008 at 2:30pm.

Conference Room 414, State Capitol

Testimony in Support,

Dear Chair Hee and Committee Members,

Lack of enforcement on Maui is a major concern to Maui residents for a multitude of reasons including economic, cultural, ethical and social. Currently we do not have enough enforcement to protect our marine resources under current Hawaii State law and DLNR rules.

We are concerned about our marine resources and need them to be protected. Unless we have sufficient enforcement the bills and rules that have been passed to protect our precious resources will continue to be violated. SB 2154 is innovative and well thought out. I urge you to pass this Bill.

On Thursday evening the Maui Nui Marine Resource Council, made up of stakeholders who represent a wide range of interests and geographic areas, voted unanimously in favor of this Bill. We urge you to do the same.

Mahalo nui,

Robin Newbold, Secretary
Maui Nui Marine Resource Council

February 8, 2008

The Honorable Clayton Hee, Chair
And Members
Senate Committee on Water and Land

Hearing Date: Monday, February 11, 2008
Time: : 2:30 pm

LATE TESTIMONY

SUBJECT: Senate Bill 2154, Relating to a Community Conservation Program

Aloha Mr. Clayton Hee and Members,

My name is Randy Awo. I am employed by the Department of Land & Natural Resources, Division of Conservation and Resources Enforcement, serving Maui Nui. Our agency is commonly referred to as Maui DOCARE. Today, I am submitting testimony as a private citizen in support of Senate Bill 2154. This Bill creates a pilot Community Conservation Program within Maui DOCARE.

This Bill recognizes the growing need for the DLNR to engage in meaningful and sustainable partnerships with our communities by restructuring their organization in a manner that better serves the joint efforts of DLNR as well as communities in protecting Hawaii's cultural and natural resources.

This Bill further recognizes the value of applying traditional management practices to mitigate the effects that modern society continues to have on our forests, streams, shoreline and ocean resources. This management by moku (district) model provides greater opportunities for the Maui DOCARE Officer to gain intimate knowledge on the resources contained within the moku to which he is assigned, while learning, understanding and responding to the voice and needs of community members.

The Community Conservation Program further recognizes that by adding positions intended to increase administrative operational efficiency, Maui DOCARE will significantly improve its ability to service its citizens at the community level. This 5 year pilot program which requires legislative oversight will bring validation to a program that can be expanded to the entire DOCARE program in the future.

Therefore, I strongly urge you to support Senate Bill 2154. Mahalo for allowing me the opportunity to testify in support of this Bill.

testimony

From: mahiai@sandwichisles.net
Sent: Sunday, February 10, 2008 8:38 AM
To: testimony
Cc: mahiai@sandwichisles.net
Subject: Testimony in Support of SB 2154
Attachments: Testimony SB 2154.doc

Please accept my attached testimony in support of SB 2154

DATE TESTIMONY

HAWAII BUILDING AND CONSTRUCTION TRADES COUNCIL, AFL-CIO
Gentry Pacific Design Center, Suite 215A
560 N. Nimitz Highway, #50
Honolulu, Hawaii 96817
(808) 524-2249 - FAX (808) 524-6893

WATE TESTIMONY

February 10, 2008

Honorable Senator Clayton Hee, Chair
Honorable Senator Russell S. Kokubun, Vice Chair
Members of the Senate Committee on Water and Land
Hawaii State Capital
415 South Beretania Street
Honolulu, HI 96813

RE: IN OPPOSITION OF SB2154
RELATING TO A PILOT RELATING TO A PILOT COMMUNITY
CONSERVATION PROGRAM
Hearing: Monday, February 11, 2008, 2:30 p.m.

Dear Chair Hee, Vice Chair Kokubun and the Senate Committee on Water and Land:

For the Record my name is Buzz Hong the Executive Director for the Hawaii Building & Construction Trades Council, AFL-CIO. Our Council is comprised of 16-construction unions and a membership of 26,000 statewide.

The Council opposes the passage of SB2154, which creates a pilot community conservation program within the Maui office of the division of conservation and resource enforcement and appropriates funds.

Thank you for the opportunity to submit this testimony in opposition of SB2154.

Sincerely,

William "Buzz" Hong
Executive Director

WBH/dg

WATE TESTIMONY

February 6, 2008

The Honorable Clayton Hee, Chair
Committee on Water and Land
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

**RE: SB 2154 – RELATING TO A PILOT COMMUNITY
CONSERVATION PROGRAM**

Dear Senator Hee and Members:

Thank you for this opportunity to provide testimony in support of Senate Bill 2154, which establishes within the State Division of Conservation and Resources Enforcement (DOCARE), Maui District Office, a five-year pilot community conservation program to educate ocean resource users on resource protection laws utilizing existing partnerships, such as Makai Watch.

In an unprecedented move, the program also provides for dedicated DOCARE officers to be assigned to two critical areas, Lahaina and Kaanapali, where ocean recreation activities are extremely high. This allows DOCARE officers to become intimately familiar with the natural resources, conservation issues, and people within these areas. Regular interactions with the community and consistent opportunities to educate people about Maui's natural resources in these two areas will undoubtedly lead to a higher level of cooperation and better protection of its marine ecosystems.

SB 2154 is designed to hold the Maui DOCARE Office accountable for this out-of-the box attempt to educate people about Maui's ocean resources and their individual kuleana in caring for them. I have every confidence in DOCARE Branch Chief Randy Awo and his staff's ability to deliver a successful program, but will be happy to assist them in any way I can.

Thank you for your favorable consideration of this critical measure.

Sincerely,

Kuheia Paracuelles
Maui County Environmental Coordinator

February 8, 2008

The Honorable Clayton Hee, Chair
And Members
Senate Committee on Water and Land

Hearing Date: Monday, February 11, 2008
Time: : 2:30 pm

LATE TESTIMONY

SUBJECT: Senate Bill 2154, Relating to a Community Conservation Program

Aloha Mr. Clayton Hee and Members,

My name is Randy Awo. I am employed by the Department of Land & Natural Resources, Division of Conservation and Resources Enforcement, serving Maui Nui. Our agency is commonly referred to as Maui DOCARE. Today, I am submitting testimony as a private citizen in support of Senate Bill 2154. This Bill creates a pilot Community Conservation Program within Maui DOCARE.

This Bill recognizes the growing need for the DLNR to engage in meaningful and sustainable partnerships with our communities by restructuring their organization in a manner that better serves the joint efforts of DLNR as well as communities in protecting Hawaii's cultural and natural resources.

This Bill further recognizes the value of applying traditional management practices to mitigate the effects that modern society continues to have on our forests, streams, shoreline and ocean resources. This management by moku (district) model provides greater opportunities for the Maui DOCARE Officer to gain intimate knowledge on the resources contained within the moku to which he is assigned, while learning, understanding and responding to the voice and needs of community members.

The Community Conservation Program further recognizes that by adding positions intended to increase administrative operational efficiency, Maui DOCARE will significantly improve its ability to service its citizens at the community level. This 5 year pilot program which requires legislative oversight will bring validation to a program that can be expanded to the entire DOCARE program in the future.

Therefore, I strongly urge you to support Senate Bill 2154. Mahalo for allowing me the opportunity to testify in support of this Bill.

To: **Senator Clayton Hee, Chair**

Senator Russell Kokubun, Vice-Chair & Members of the

Committee on Water and Land

From: **Amy Miller,**

Kihei, Maui, Hi, 96753

Re. **Hearing on SB 2154, relating to a pilot community conservation program.**

February 11, 2008 at 2:30pm.

Conference Room 414, State Capitol

Testimony in Support,

Dear Chair Hee and committee members,

Thank you for hearing my testimony regarding enforcement. Lack of enforcement on Maui has been a long on-going concern. I have been a captain of snorkel and whale watching boats in Maui County for over 10 years. I have seen a dramatic decrease in the reef fish populations over the years. I am concerned for the health of the reefs as well as the eco systems as a whole as we continue to watch the reef population plummet. It is time to take care of our reefs and have a limit on the amount of ornamental fish being shipped out of the state.

Finally the people have a justified enforcement plan that makes sense and is detailed to meet the needs of the Division as well as the public. We will finally have efficiency within DOCARE and the communities needs will be met. Please pass this bill.

Sincerely,

Amy Miller

**TO: Senator Clayton Hee, Chair
Senator Russell Kokubun, Vice-Chair
Members Committee on Water and Land**

**From: Brooks Tamaye, CREO III, Maui Branch, DLNR-DOCARE
P.O. Box 2266
Wailuku, HI 96793
244-5751**

RE: Hearing on SB 2154 – Relating to a Pilot Community Conservation Program

February 11, 2008, 2:30 pm

Conference Room 414, State Capitol

Testimony in Support of SB 2154

Dear Chair Hee, Vice-Chair Kokubun and Committee Members:

I am a Conservation and Resources Enforcement Officer III with the Department of Land and Natural Resources, Maui Branch.

As enforcement officers for the entire DLNR, DOCARE officers have a unique perspective on the connections between water, land and culture. DOCARE is also usually the first stop for agencies and the public looking for assistance on a multitude of issues.

Officers not only work to enforce laws but, are also drawn into helping to resolve complex issues. Requests for assistance continue to flow in daily and it is very difficult to respond to all the needs. Sustaining these efforts requires creative solutions.

The unique initiative before you will not only support our current efforts but, will allow us to evaluate its effectiveness. Our hope is that it will assist in development of a model that may eventually serve all communities throughout our State.

Some of the benefits of allowing officers to focus their efforts in a moku are an enhanced ability to:

1. Gain intimate knowledge of the natural and cultural resources.
2. Identify ongoing and potential threats to these resources.
3. Establish meaningful and sustainable partnerships with communities.
4. Institute educational efforts that instills a sense of personal and social responsibility toward protection of natural and cultural resources.

LATE TESTIMONY

Testimony SB 2154
Brooks Tamaye
Page 2

5. Engage in more proactive enforcement efforts.

Maui DOCARE is willing to work toward these goals. I ask for your support in passing this bill to establish this program.

Sincerely,
Brooks Tamaye

February 9, 2008

Senator Clayton Hee, Chairman
Senator Russell Kokubun, Vice-Chair and Members of the
Committee on Water and Land
State Capitol
Honolulu, Hawaii, 96813

February 11, 2008 at 2:30 pm.
Conference Room 414, State Capitol

Testimony in Support of SB 2154

Dear Chair Hee and Committee Members:

**SUBJECT: Hearing on SB 2154, Relating to a Pilot Community
Conservation Program.**

Thank you for hearing my testimony regarding SB 2154. The passing of this bill will maximize the efficiency of the Conservation and Resources Enforcement program on the island of Maui. It makes sense and is detailed to meet the needs of the Division as well as the public. Please pass this bill.

Sincerely,
Clarence M Yamamoto
543 Pohai Street
Kahului, Hawaii, 96732

DATE TESTIMONY



LATE TESTIMONY

SB 2739 RELATING TO THE ʻĀHIHI-KĪNAʻU NATURAL AREA RESERVE
Senate Committees on Water and Land,
and Transportation and International Affairs

February 11, 2008
Room: 414

2:30 p.m.

The Office of Hawaiian Affairs (OHA) **SUPPORTS, with amendments** S.B. 2739, which would place the Mākena-Keoneʻōʻio Government Road under the jurisdiction of the Department of Land and Natural Resources (DLNR).

The bill would limit public access to the portions of the road that pass through the ʻĀhihi-Kīnaʻu Natural Area Reserve (NAR). Access would be permitted to legal residents who use the road to access their homes; state and county officials conducting maintenance of the road or the Natural Area Reserve and its resources (NAR); and persons permitted into the NAR under administrative rules adopted by the DLNR.

OHA appreciates the intent of S.B. 2739. OHA understands that the recent publicity given to the ʻĀhihi-Kīnaʻu NAR has caused a marked increase in visitors to the area. A study conducted sometime before 2003 found that about 700 people per day visit the NAR, which means that an incredible amount of unneeded stress is being placed on the site's vast natural and cultural resources.

OHA believes that the state needs some sort of mechanism to control public access to protect the area's resources. However, we request that the bill contain specific language that ensures that access for Native Hawaiian traditional and customary purposes to the NAR will be protected.

In addition, we ask the DLNR to provide OHA notification on all public hearings on any proposed administrative rules relating to public access to the ʻĀhihi-Kīnaʻu NAR.

OHA urges the Committees to PASS S.B.2739. Thank you for the opportunity to testify.

testimony

From: msg@aloha.net
Sent: Friday, February 08, 2008 9:39 AM
To: testimony
Subject: SB2739

SENATOR ROZ BAKER
SENATOR SHAN TSUTSUI
REPRESENTATIVE MELE CARROLL

LATE TESTIMONY

From Brian Yoshikawa
Wailuku, Maui Hawaii

I reviewed SB No.2739, and it raises a few concerns with me. If this bill
> is passed as is it would not allow for access to La Perouse Bay and
> areas south of that to the fishermen and divers that do not own a
> residence along this road. If the purpose of this bill is to protect
> the Ahihi-Kinau NAR then it is not an effective bill to attain that goal.
> Visitors to the Ahihi-Kinau NAR will still be able to access the area
> via foot, kayak, or swimming, and will still have an impact on the
> frail ecosystem within the NAR that the DLNR is trying to protect.

> This Makena-Keoneoio road is an access road to the NAR, but continues
> on to a very popular fishing and diving area utilized by primarily
> local fishermen that would be in uproars should this bill pass as is.
> You are very aware of the animosity towards the DLNR and State Parks
> Department due to the nightly closure of Makena State Park, as this
> was an extremely popular night fishing area for the fishermen of Maui.
> To also consider closing off access to La Perouse Bay and the grounds
> south of that would incite political suicide by any politicians that
> support and endorse this bill, as I guarantee you the fishermen will
> not allow this one to pass without remembering those that supported it.
> La Perouse Bay is the only shoreline fishing area in south Maui left
> where a fisherman can cast his pole at night and not have lights from
> a hotel, condominium, resort, or street light casting his shadows in
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> left for them, as every foot of shoreline north of the Maui Prince
> Hotel is developed or in various stages of development. To designate
> this road as outlined in this bill would effectively close the entire
> fishing grounds south of the NAR, and it would piss off a lot of
> voters who will remember the political entities that allowed this to happen.
>

Speaking for the many fishermen that I come in to contact on a daily basis, we do not support this exclusive South Maui Gated community, and do not want this bill to pass or be heard without recognizing the issue of access for fishermen via this road.

Respectfully,
Brian Yoshikawa
ulua fisherman, spearfisherman, outdoor enthusiast
92 North Market Street
Wailuku, Hawaii 96793
808-757-2827

To: **Senator Clayton Hee, Chair**
Senator Russell Kokubun, Vice-Chair & Members of the
Committee on Water and Land

To: **Senator Kalani English, Chair**
Senator Mike Gabbard, Vice-Chair & Members of the committee on
Transportation and International Affairs.

From: **Darrell Tanaka,**
Haiku, Maui, Hi, 96708

Re. **Hearing on SB2739—Relating to the Makena-Keoneoio government road.**

February 11, 2008 at 2:30pm.

Conference Room 414, State Capitol

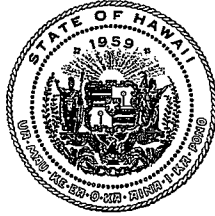
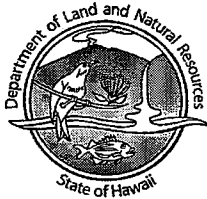
Testimony in Opposition,

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Sincerely,
Darrell Tanaka

MAUI TESTIMONY

LINDA LINGLE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL Y. TSUJI
FIRST DEPUTY

KEN C. KAWAHARA
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
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CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**TESTIMONY OF THE CHAIRPERSON
OF THE BOARD OF LAND AND NATURAL RESOURCES**

on Senate Bill 2739 – Relating To The Makena-Keoneoio Government Road

**BEFORE COMMITTEES ON
WATER AND LAND
AND
TRANSPORTATION AND INTERNATIONAL AFFAIRS**

February 11, 2008

Senate Bill 2739 establishes that the Makena – Keoneoio Government Road (Road) is under the jurisdiction of the Department of Land and Natural Resources and that it shall be used as an access road to the Ahihi-Kinaiu Natural Area Reserve (NAR). The Department of Land and Natural Resources (Department) understands the intent of this measure, but is nonetheless concerned that there are public access issues and the costs associated with maintaining a public paved road from 'Polo Beach' near the Maui Prince Hotel to La Perouse Bay.

The Department recognizes that there are impacts that are occurring to the natural and cultural resources in Ahihi-Kinaiu NAR caused by the growing number of people who access the reserve, however the Department is currently addressing these impacts through:

- (1) The development and implementation of a management plan. This plan seeks to sensitively prevent abuses of the area, which is the intent of Senate Bill 2739, while respecting the access rights to state lands south of the reserve and avoiding the problems with the Department's jurisdiction of the road.
- (2) Increased departmental presence with a new ranger position (total of 4) and a naturalist and volunteer program.
- (3) Newly implemented visiting hours.
- (4) The possible implementation of a two-year area closure plan.

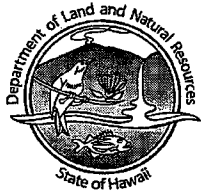
Limiting public access to the NAR via the jurisdictional control of the paved is only one of several methods to control public access to these fragile resources. However, the drawback with controlling use through this road access is that the paved road also provides access to Dumps surfing area, private parcels and La Perouse Bay - which are not part of the NAR. The bay is currently open to the public and is used daily by visitors who want to see the historic monument and residents who fish, hike, swim and snorkel in the bay. The Makena-Keoneoio government road is also the only public access by land for those who wish to visit the Kanaio coast and the historic King's Trail and the private land holdings.

LIVE TESTIMONY

The County of Maui (County) constructed and has maintained and improved the road to provide access to local residences and the multitude of tourists to the NAR and La Perouse Bay. To turn the entire road from 'Polo Beach' near the Maui Prince Hotel to La Perouse Bay over to the Department would impose an unmanageable maintenance burden on the Department for which it does not have the manpower, expertise, equipment, or experience. This road currently services public and residential access.

There are other options the Department is pursuing to control access into the NAR, such as gating the parking areas. In addition, the Department is currently developing a management plan for the area including the NAR. This process can reach out to the community and county to discuss management options for the road. The Department believes this process will be able to find an approach that will advance the widespread public support of increasing protection of the reserve while providing the correct amount of public access to Dumps, the NAR, La Perouse Bay and the private land parcels without burdening the Department with maintenance costs of a heavily used public road.

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
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HONOLULU, HAWAII 96809

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