

TESTIMONY
GM 377

Testimony
Governor's Message 377
Confirmation of Dr. Carl J. Berg, Jr.
11:00 AM February 16, 2009
Committee on Water, Land, Agriculture & Hawaiian Affairs

Dear Senator Hee and members of the of the committee,

I would like to submit the following testimony in support of my nomination by the Governor to the Legacy Land Conservation Commission.

I am a resident of Kauai. For the past 17 years I lived in the ahupua'a of Kalihikai, on the North Shore. I now live in the ahupua'a of Kalapaki near Nawiliwili harbor. I came to Hawaii in the late 1960's and obtained a Ph.D. from the Zoology Department of the University of Hawaii-Manoa in 1971. After an active career on the mainland as a university professor (City University of New York) and then as a research scientist in ecology (Marine Biological Laboratory, Woods Hole MA, Harvard Univ. and Columbia Univ.), I returned to Hawaii and worked for the State of Hawaii Department of Health, monitoring water quality in the ocean and streams. As Chief Scientist of the Hanalei Watershed Hui, I obtained funding and coordinated a multi-agency program to improve the water quality in the four ahupua'a entering Hanalei Bay. I have also advised and worked with other watershed programs in the state and have been on the board of directors of environmental and neighborhood organizations. I am currently Senior Scientist with the Kauai Chapter of the Surfrider Foundation, which focuses on water quality issues as well as beach access and beach protection.

I have worked with both State and Federal agencies in trying to improve and preserve the natural resources of Hawaiian ahupua'a and for the past two years with the Legacy Land Conservation Commission in protecting natural resources through the purchase of lands that would otherwise be lost to development. I know, first hand, that these properties must be managed properly. The LLCC has a most direct and important task in preserving the resource value lands in the Hawaiian Islands. I want to continue to support that goal.

The role of each member of the LLCC is to draw upon their individual knowledge and expertise to formulate LLCC recommendations to be passed on to the State through the Department of Land and Natural Resources. The LLCC should be a panel of "experts" representing their respective islands and/or professions.

My particular expertise lies within the understanding of the ecology of Hawaiian ahupua'a and the effectiveness of mitigation measures to help improve the quality of the water in stream, estuarine and marine ecosystems. This expertise was derived through my academic and research background, and my practical experience working with more than 40 collaborators on the ahupua'a of Hanalei

Bay over the past eight years. I am also working with Surfrider Foundation, island wide, to protect water quality, clean beaches, and obtain beach access.

During my term of service I used my expertise to advise the LLCC on the funding of projects to purchase and conserve resource value lands. I feel a great sense of accomplishment as I point to lands and say that I was instrumental, through the LLCC, in getting them preserved.

Three qualities that would distinguish me for consideration would include a strong belief in stewardship, volunteerism, and the inter-connectedness (ecological) approach to conservation and land management.

The most relevant experience has been the development of a large cooperative program, funded mainly by the U.S. Environmental Protection Agency, for the mitigation of pollution in Hanalei Bay and research on the effectiveness of the mitigation efforts. Numerous State and Federal agencies were involved, over a four-year period, and significant progress has been made in our understanding of the processes involved.

As a representative for Kauai, I would advocate for projects on my island and would have to reclude myself from any deliberations on projects that I was directly involved in.

Respectfully,

Dr. Carl J. Berg, Jr.

LINDA LINGLE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Testimony of
LAURA H. THIELEN
Chairperson

Before the Senate Committee on
WATER, LAND, AGRICULTURE, AND HAWAIIAN AFFAIRS

Monday, February 16, 2009
11:00 a.m.
State Capitol, Conference Room 229

In consideration of
**GOVERNOR'S MESSAGE 377 - SUBMITTING FOR CONSIDERATION AND
CONFIRMATION TO THE LEGACY LAND CONSERVATION COMMISSION,
GUBERNATORIAL NOMINEE, CARL J. BERG JR., FOR A TERM TO EXPIRE 6-30-2013**

The Department of Land and Natural Resources (Department) supports Governor's Message (GM) 377 to appoint Dr. Carl J. Berg, Jr., to the Legacy Land Conservation Commission for a term to expire 6-30-2013. Per the requirements of §173A-2.4, Hawaii Revised Statutes (HRS), Dr. Berg is a resident of Kaua'i and possesses scientific qualifications evidenced by an academic degree.

Dr. Berg has a Ph.D. in Zoology from the University of Hawai'i at Mānoa and extensive research experience in population ecology. He is currently the owner of and a guide for Hawaiian Wildlife Tours. Previously, as Chief Scientist of the Hanalei Watershed Hui, Dr. Berg obtained funding and coordinated a multi-agency program to improve the water quality in the Hanalei Bay ahupua'a on Kaua'i. Dr. Berg can offer perspectives from academic and economic viewpoints, and as long time resident of Kaua'i, can represent the interests of Kaua'i County.

The responsibilities of the Legacy Land Conservation Commission are (1) advising the Department and the Board of Land and Natural Resources on any proposal, public or private, for the acquisition of any interest or rights in land having value as a resource to the State; (2) advising the department and the board on any requests for grants from the fund to a qualifying state or county agency or nonprofit land conservation organization for the preservation of lands having value as a resource to the State; (3) recommending to the board the acquisition of interests or rights in certain lands having value as a resource to the State; and (4) reviewing and adopting rules relating to the criteria it applies in advising the department and the board and making recommendations to the board regarding land acquisitions and grants made pursuant to Chapter 173A, HRS.

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
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATEPARKS

Dr. Berg will continue to bring expertise in population ecology and watershed management to the Commission. The Department supports G.M. 377 on the appointment of Dr. Carl J. Berg, Jr., to the Legacy Land Conservation Commission and looks forward to working with him in the future.

Bernard P. Carvalho Jr.
Mayor



Gary K. Heu
Administrative Assistant

OFFICE OF THE MAYOR

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**TESTIMONY OF THE
COUNTY OF KAUA'I
OFFICE OF THE MAYOR**

**TO THE SENATE COMMITTEE
ON WATER, LAND, AGRICULTURE, AND HAWAIIAN AFFAIRS**

**TWENTY-FIFTH LEGISLATURE
REGULAR SESSION OF 2009**

**February 16, 2009
11:00 a.m.**

TESTIMONY ON GM 377, RELATING TO GUBERNATORIAL NOMINEE CARL J. BERG.

TO THE HONORABLE CLAYTON HEE, CHAIR, AND MEMBERS OF THE COMMITTEE:

My name is Bernard P. Carvalho, Jr., Mayor, providing testimony in support of Gubernatorial Nominee Carl J. Berg to the Legacy Land Conservation Commission (Commission).

The Hawai'i Legacy Land Conservation Program is funded for the purpose of acquiring land having value as a resource to the State of Hawai'i. The Commission advises the Board of Land and Natural Resources on projects proposed for funding under this program.

Mr. Berg is a current member of the Commission, and is nominated for another term to expire on June 30, 2013. Confirmation would allow him to continue his good work on behalf of the citizens of Kaua'i and the State.

We ask you to confirm his nomination, and thank you for the opportunity to present testimony on this matter.

GM377-Testimony Supporting Dr. Carl Berg's Nomination to the Legacy Land Conservation Commission

scoleman34@aol.com [scoleman34@aol.com]

Sent: Saturday, February 14, 2009 3:05 PM

To: WTLTestimony

Cc: Sen. Clayton Hee; Sen. Jill Tokuda

February 14, 2009

Governor's Message 377

Dear Senator Hee and members of the of the Committee on Water, Land, Agriculture & Hawaiian Affairs,

My name is Stuart H. Coleman, and I am the new Hawaiian Islands Field Coordinator for the Surfrider Foundation, an international environmental non-profit organization with 60,000 members in the U.S. and 1500 dues-paying members in Hawaii. I would like to submit the following testimony in support of the nomination of Dr. Carl J. Berg by the Governor to the Legacy Land Conservation Commission. Dr. Berg has done water quality testing and extensive work on behalf of the Surfrider Foundation on Kauai and across the Islands. In fact, the DLNR gave him their "Hawaii's Living Reef" Award in 2006, and the NRDC named him their "Beach Hero" in 2007 for his beachwater monitoring on Kauai. We highly recommend that Dr. Berg be nominated to continue serving and doing valuable work on the Legacy Land Conservation Commission.

Aloha, Stuart

Stuart H. Coleman
Hawaiian Islands Field Coordinator
The Surfrider Foundation
808-942-3841

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 15, 2009 10:52 AM
To: WTLTestimony
Cc: dalton@aloha.net
Subject: Testimony for GM377 on 2/16/2009 11:00:00 AM

Testimony for WTL 2/16/2009 11:00:00 AM GM377

Conference room: 229
Testifier position: support
Testifier will be present: No
Submitted by: Judy Dalton
Organization: Sierra Club Kaua'i Group of the Hawai'i Chapter
Address: 4330 Kauai Beach Drive Lihue, HI 96766
Phone: 808-246-9067
E-mail: dalton@aloha.net
Submitted on: 2/15/2009

Comments:

Aloha respected WTL Committee members,

Carl Berg is a highly respected, long-time advocate for preservation of the environment and protection of wildlife. He has been a volunteer on numerous boards, and well represents the community on Kaua'i. We've witnessed Mr. Berg's ability to effect environmental policies and influence governmental agencies through his knowledgeable and dedicated efforts on Kaua'i more than 15 years. He is highly qualified to continue serving in the capacity of Legacy Land Conservation Commissioner and is an excellent choice.

The Sierra Club Kaua'i Group is in full support of Carl Berg's nomination.

Judy Dalton, Executive Committee member
Kaua'i Group of the Hawai'i Chapter Sierra Club

TESTIMONY
GM 377
(END)