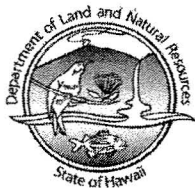


LINDA LINGLE
GOVERNOR OF HAWAII



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
Bill No. 2365
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
COMMISSION ON COASTAL LAND
CONSERVATION AND RESOURCE ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESEARCH COMMISSION
LAND

Support W

Date 1/21

Time 1434

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Type 1 2 WI

Department of Land and Natural Resources
Testimony Transmittal Cover Sheet

Date Submitted: January 27, 2010

Testifier's Name/Title: Ken Kawahara, Commission on Water Resource Management Division
Administrator/Deputy Director

Committee Name: HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL
PROTECTION AND WATER, LAND, & OCEAN RESOURCES
(EEP-WLO)

Day and Date: Thursday, January 28, 2010
Time/Location: 9:05 AM, Conference, Room 325

Measure Number: HB 2365 RELATING TO THE EMERGENCY ENVIRONMENTAL
WORKFORCE.

Number of Copies: 25 (including original) to Room 317 in the State Capitol

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 House Committees on
ENERGY AND ENVIRONMENTAL PROTECTION
and
WATER, LAND, AND OCEAN RESOURCES**

**Thursday, January 28, 2010
9:05 AM
State Capitol, Conference Room 325**

**In consideration of
HOUSE BILL 2365
RELATING TO THE EMERGENCY ENVIRONMENTAL WORKFORCE**

House Bill 2365 would appropriate up to \$3,000,000 from the Special Land and Development Fund ("SLDF") to establish the emergency environmental workforce. The Department of Land and Natural Resources (Department) strongly opposes any diversion of funds from the SLDF for new non-mandated projects or programs during these austere budgetary times.

The Department's special fund revenues have dropped over 35% in less than three years and the decline appears to be continuing. Incoming special funds are currently only adequate to support core personnel and operations and any reductions or transfers will necessitate the elimination of personnel and core programs.

Redirecting funds to other purposes may result in laying off staff within the Department who are paid out of this Fund, including staff in the Dam Safety Program. Presently there are federal funds, including American Recovery and Reinvestment Act dollars, available for environmental workforce type programs that could be applied for directly to federal funding agencies.

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
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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
STATE PARKS

Agenda 403
Bill No. 2365

Support Y N

Date 1/27

Time 829

COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

Representative Hermina M. Morita, Chair
Representative Denny Coffman, Vice Chair

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COMMITTEE ON WATER, LAND AND OCEAN RESOURCES

Representative Ken Ito, Chair, Representative Sharon E. Har, Vice Chair

Type 1 2 WI

Unemployment on the island of Lana`i was recently set at or above 11%.

At the same time, a few – too few – individuals work daily to restore and replant our extremely degraded and challenged watershed area. Only 2% of our dryland forest and 30% of our cloud forest remains. Feral deer and cats, rats and barn owls are a few of the predators that threaten the endangered 'ua'u, while strawberry guava and miconia continue to thrive and poison the soil, preventing adequate recharge to our single, and only, aquifer.

I strongly **SUPPORT** HB2365 as a necessary measure to:

- Provide additional workforce to the vital efforts being done by the Pacific Cooperative Studies Unit, University of Hawaii, on the island of Lana`i.
- Address the critical unemployment climate on the island of Lana`i.
- Continue vital research on steps needed to restore what was once a healthy "understory." The layering of trees and plants such as the uluhe is a critical element in any healthy watershed.

The reality is that we have only one aquifer, and the watershed area that recharges our aquifer is unhealthy and dying. The reality is our people want to work, but are being laid off from the only industry currently available on our island, the hotel industry. Watershed restoration efforts are so badly needed on Lana`i it could easily become an "industry."

For the above reasons, I strongly **SUPPORT** HB2365.

Thank you for this opportunity to testify to your Committees.

Sally Kaye
P.O. Box 631313
Lanai City, HI 96763

[testimony@capitol.hawaii.gov]



The Nature Conservancy of Hawai'i
923 Nu'uuanu Avenue
Honolulu, Hawai'i 96817

Tel (808) 537-4508
Fax (808) 545-2019

Ag 2
Bill No. 2365
Support Y N
nature.org/hawaii
Date 1/27
Time 1038
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Type 1 2 WI

Testimony of The Nature Conservancy of Hawai'i
Commenting on H.B. 2365 Relating to the Emergency Environmental Workforce
House Committee on Energy & Environmental Protection
House Committee on Water, Land & Ocean Resources
Thursday, January 28, 2010, 9:05am, Rm. 325

The Nature Conservancy of Hawai'i is a private non-profit conservation organization dedicated to the preservation of Hawaii's native plants, animals, and ecosystems. The Conservancy has helped to protect nearly 200,000 acres of natural lands for native species in Hawai'i. Today, we actively manage more than 32,000 acres in 11 nature preserves on O'ahu, Maui, Hawai'i, Moloka'i, Lāna'i, and Kaua'i. We also work closely with government agencies, private parties and communities on cooperative land and marine management projects.

The Nature Conservancy provides the following comments on H.B. 2365.

We recommend that if funding is available for an Emergency Environmental Workforce (EEWF) that a portion of that funding be used to shore up our existing environmental workforce—watershed partnerships and invasive species committees—to prevent job loss and ensure the foundation of support needed to make the new EEWF an environmental and workforce development success.

Beyond ensuring a proper foundation for training and supervision, a lesson learned in 2001 with the prior EEWF is that the Legislature must provide reasonable funding for human resources support, safety equipment, tools, vehicles, and other necessities for workers and managers.

The EEWF established by the Legislature after September 11, 2001 produced job opportunities and significant conservation benefit. Many of those workers are still employed in conservation today. However, a foundation of support is needed to ensure the effectiveness of a renewed EEWF today.

The existing conservation programs that will likely be tapped to coordinate and supervise new EEWF workers are facing severe cutbacks. The Island Invasive Species Committees (ISCs) www.hawaiiinvasivespecies.org/iscs/, Watershed Partnerships (WPs) www.hawwp.org, and the DLNR Natural Area Reserve System (NARS) and Forest Reserve (FR) programs <http://hawaii.gov/dlnr/dofaw> that took on and managed EEWF personnel in 2001 have experienced a reduction of 50-60% in their State funding in Fiscal Year 2010.

These existing conservation management programs are supported by the DLNR's Natural Area Reserve Fund (NAR Fund). The NAR Fund is a special fund within the DLNR that receives 20% of State conveyance tax revenues. With the down economy and resulting decline in real estate transactions, conveyance tax revenues are severely diminished.

The ISCs and WPs have had to reduce staff and cut back on the conservation services they provide for the benefit of all island residents. They will not likely be in a position to train and manage new personnel, particularly individuals who have no background in conservation field work. Highly skilled conservation workers may lose their jobs only to be replaced by unskilled labor that may not have sufficient mentoring, training or support to do good work.

The attached documents show the conveyance tax revenue reductions and resulting budget, project and staff cuts being experienced by NAR Fund programs in FY2010.

Attachments

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CONVEYANCE TAX TRANSFERS FOR FY 2010

Month	Total Monthly Conveyance Tax Collections to General Fund - 100%	DLNR S-10-342-C NARS Trf In - 20%	DLNR S-10-317-C Land Conservation Trf In - 10%	HHFDC T-10-930-B Rental Housing Trust Trf In - 25%	TAXATION G-00-000-C General Fund Balance Remaining - 45%
July	\$1,167,521.21	\$233,504.24	\$116,752.12	\$291,880.30	\$525,384.55
August	\$2,612,357.55	\$522,471.51	\$261,235.76	\$653,089.39	\$1,175,560.89
September	\$2,028,028.74	\$405,605.75	\$202,802.87	\$507,007.19	\$912,612.93
October	\$3,135,822.97	\$627,164.59	\$313,582.30	\$783,955.74	\$1,411,120.34
November	\$4,566,407.71	\$913,281.54	\$456,640.77	\$1,141,601.93	\$2,054,883.47
December		\$0.00	\$0.00	\$0.00	\$0.00
January		\$0.00	\$0.00	\$0.00	\$0.00
February		\$0.00	\$0.00	\$0.00	\$0.00
March		\$0.00	\$0.00	\$0.00	\$0.00
April		\$0.00	\$0.00	\$0.00	\$0.00
May		\$0.00	\$0.00	\$0.00	\$0.00
June		\$0.00	\$0.00	\$0.00	\$0.00
Grand Totals	\$13,510,138.18	\$2,702,027.63	\$1,351,013.82	\$3,377,534.55	\$6,079,562.18

TOTAL CONVEY TX TO GEN FUND	
FY09	\$ 23,787,487
FY08	\$ 38,408,022
FY07	\$ 48,328,508
FY06	\$ 56,646,115
FY05	\$ 24,318,038
FY04	\$ 18,432,214

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CONVEYANCE TAX TRANSFERS FOR FY 2009

Month	Total Monthly Conveyance Tax Collections to General Fund - 100%	DLNR S-09-342-C NARS Trf In - 25%	DLNR S-09-317-C Land Conservation Trf In - 10%	HCDCH T-09-930-B Rental Housing Trust Trf In - 30%	TAXATION G-00-000-C General Fund Balance Remaining - 35%
July	\$2,192,465.87	\$548,116.47	\$219,246.59	\$657,739.76	\$767,363.05
August	\$1,774,945.34	\$443,736.34	\$177,494.53	\$532,483.60	\$621,230.87
September	\$2,514,102.90	\$628,525.73	\$251,410.29	\$754,230.87	\$879,936.01
October	\$1,825,468.79	\$456,367.20	\$182,546.88	\$547,640.64	\$638,914.07
November	\$1,233,090.89	\$308,272.72	\$123,309.09	\$369,927.27	\$431,581.81
December	\$2,074,566.26	\$518,641.57	\$207,456.63	\$622,369.88	\$726,098.18
January	\$1,738,521.89	\$434,630.47	\$173,852.19	\$521,556.57	\$608,482.66
February	\$1,486,547.45	\$371,636.86	\$148,654.75	\$445,964.24	\$520,291.60
March	\$1,644,929.69	\$411,232.42	\$164,492.97	\$493,478.91	\$575,725.39
April	\$1,746,570.85	\$436,642.71	\$174,657.09	\$523,971.26	\$611,299.79
May	\$1,644,449.10	\$411,112.27	\$164,444.91	\$493,334.73	\$575,557.19
June	\$3,911,827.76	\$977,956.94	\$391,182.77	\$1,173,548.32	\$1,369,139.73
Grand Totals	\$23,787,486.79	\$5,946,871.70	\$2,378,748.69	\$7,136,246.05	\$8,325,620.35

TOTAL CONVEY TX TO GEN FUND	
FY08	\$ 38,408,022
FY07	\$ 48,328,508
FY06	\$ 56,646,115
FY05	\$ 24,318,038
FY04	\$ 18,432,214

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PROGRAM	OBJECTIVE	FY 09 STAFF SUPPORTED WITH STATE FUNDS	CURRENT # OF STAFF SUPPORTED WITH STATE FUNDS	RESULTS OF FY10 REDUCTION IN STATE FUNDS
WATERSHED PARTNERSHIPS	The Hawaii Association of Watershed Partnerships (HAWP) is comprised of nine Watershed Partnerships on six islands. Watershed Partnerships are voluntary alliances of landowners and other partners working collaboratively to protect forested watersheds for water recharge, conservation, and other ecosystem services.	43	40	<ul style="list-style-type: none"> • Layoff 19 staff • Loss of species, habitat and water recharge capacity. • Reduced ungulate control activity. Low ungulate numbers in existing management units could increase to pre-management levels. • Limited control of invasive plant species leading to possible establishment of outlier populations • No new fence construction. • Gains of prior years severely eroded. • Decreased outreach. • Increased cost to repair environmental degradation downstream and on reefs. • Increased expense to recoup lost ground in future years
INVASIVE SPECIES COMMITTEES	The Invasive Species Committees (ISCs) are island-based partnerships of government agencies, non-government organizations, and private businesses working to protect each island from the most threatening invasive pests. The ISCs address the need for rapid response and control work on new invasive pests that have the potential to severely impact our economy, ecosystem, watersheds, human health, and quality of life. A driving objective of the ISCs is to control the most threatening pests while populations are still relatively small and it is economically feasible to control or eliminate them.	29	26	<ul style="list-style-type: none"> • Layoff 22 staff • Inability to address target species including miconia & coqui frogs. • Inevitable increase in spread of invasive species degrading the environment, agricultural productivity, and human health/well-being. • Cease all educational efforts eliminating the publics understanding of threats and transport pathways. • Cease all early detection efforts. • Staff reductions may exceed the number of staff currently supported directly by State funding due to a reduced ability to leverage funds from federal and county sources.
NATURAL AREA RESERVES SYSTEM	The Natural Area Reserves System (NARS) was established in 1970 to preserve in perpetuity Hawaii's most unique ecosystems. There are currently 19 reserves on five islands, encompassing more than 109,000 acres. The diverse areas found in the NARS range from marine and coastal environments to lava flows, tropical rainforests, and an alpine desert. The reserves also protect major watershed areas, which are vital sources of fresh water.	39	28	<ul style="list-style-type: none"> • Layoff 4-8 PCSU staff, 4 civil service staff • Inability to fulfill grant agreements/mandates to prevent extinctions & loss of natural resources. • Inability to contract for archaeological/cultural assessments. • Inability to provide consistent presence at Ahihi-Kinohi NAR to address issues related to high visitor numbers. • Delay planned maintenance/repair of Kaala boardwalk. • Reduced ability to maintain existing fences, special mgmt units, and remove ungulates from recently completed fenced areas. • Reduced ability to coordinate volunteer/outreach activities. • Inability to support Kaena Stewardship Comm. & ORMP work. • Inability to add/manage the proposed Poamoho NAR to the NARS system. • Reduced funds for helicopter ops, limiting ability to access many important areas. • Reduced ability to facilitate update of NARS management plans.

PROGRAM	OBJECTIVE	FY 08 STAFF SUPPORTED WITH STATE FUNDS	CURRENT # OF STAFF SUPPORTED WITH STATE FUNDS	RESULTS OF FY10 REDUCTION IN STATE FUNDS
FORESTRY/ FOREST STEWARDSHIP PROGRAM	<p>The Forest Stewardship Program (FSP), administered by the Department of Land and Natural Resources, Division of Forestry and Wildlife (DLNR-DOFAW), provides technical and financial assistance to owners of nonindustrial private forest land that are interested in conservation, restoration, and/or timber production.</p> <p>The Forestry Program manages 55 forest reserves comprising more than 640,000 acres, or 16% of Hawaii's land area. The program also provides financial incentives to agricultural landowners to convert fallow or open land to trees, shrubs, and forest habitat, conducts control and monitoring efforts in each county for existing and incipient invasive species, and coordinates T&E species management.</p>	12	12	<ul style="list-style-type: none"> • Layoff 4-6 PCSU staff • No new FSP projects. 2-3 projects in development will be placed on hold. • Unmitigated degradation of existing road, trail and fencing infrastructure. • Limited ability to control priority weeds and ungulates. • Reduced ability to enroll landowners in CREP. State will need more than original funding levels for FY12 and beyond to compensate for the FY10 and FY11 reductions to meet program funding requirements per agreement with USDA. • Limited ability to mitigate known threats to federally endangered species, and interruption of ongoing restoration and data collection projects. • Erosion of existing rare plant restoration and research projects. • Possible loss of federal funds due to lack of state match. More positions may be lost if federal grants are lost.
LEGACY LAND CONSERVATION PROGRAM	<p>The Legacy Land Conservation Program (LLCP) was established in 2005 to protect lands having unique and valuable natural, cultural, historic, and agricultural resources from destruction or development. The LLCP provides grants to local organizations and agencies for the purchase and protection of lands for: watersheds protection, parks, coastal areas, beaches, and ocean access, natural areas, habitat protection, agricultural production, cultural and historical sites, open spaces and scenic resources, and recreational and public hunting areas.</p>	2	2	<ul style="list-style-type: none"> • Layoff 2 staff (potential) • Loss of ~\$12M in matching funds towards Hawaii conservation. • Important cultural, natural, recreation, and historic resources lost to development. • Loss of associated economic and health benefits (e.g., cultural and natural tourism, water supply, food supply, ecosystem services).
YOUTH CONSERVATION CORPS	<p>The Youth Conservation Corps (YCC) was established to engage Hawaii's youth in field-based conservation projects and educate them on the many conservation issues that threaten Hawaii's unique environment. Students are mentored by and work alongside some of Hawaii's premiere conservation leaders during the summer and year-round programs. Nearly 150 local youth participated in the 2009 summer program and 25 participated in the FY09 year-round (1700 hour) YCC program.</p>	4	5.5	<p>The State DLNR and the Federal Corporation for National and Community Service (CNCS) have historically provided the majority of funding for the YCC program. DLNR was awarded competitive American Recovery and Reinvestment Act (ARRA) funds to replace the CNCS State match requirement for FY10. The ARRA award also provided additional funding for 45 year-round members and 1.5 FTE support staff. However, the ARRA funds last only one year with no opportunity to extend or reapply. We anticipate that, as in the past, a State match will be required to facilitate the YCC program in FY11.</p>