

NEL ABERCROMBIE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

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Testimony of
WILLIAM J. AILA, JR.
Chairperson

Before the House Committee on
WATER, LAND, AND OCEAN RESOURCES

Monday, February 14, 2011
9:00 A.M.

State Capitol, Conference 325

In consideration of
HOUSE BILL 785
RELATING TO CONSERVATION

House Bill (HB) 785 suspends funding from the Land Conservation Fund (LCF) to the Legacy Land Conservation Program and redirects LCF funding to invasive species control and mitigation, reforestation, and sediment run-off control. The Department of Land and Natural Resources (Department) strongly opposes this bill.

This bill would suspend the operation of the Legacy Land Conservation Program ("Legacy Land"), resulting in lost opportunities to protect unique and valuable agricultural, cultural, and natural resources as lands become available for sale. These resources provide important public benefits: protection of rare plants and animals, conservation of forests and watersheds for fresh water supply, protection of agricultural lands for food security and agribusiness, and preservation of the unique scenic vistas and recreational resources that support the tourism sector. Every dollar spent from through Legacy Land was leveraged with two matching dollars funding from federal, county and private sources working on the same common goals of land conservation and protection. The program has awarded grants to 24 projects for the protection of 7,220 acres. With minimal Department staffing, the program has successfully utilized partnerships and matching funds over the past 5 years to purchase and protect over \$54 million in land resources in permanent conservation status from an state investment of just \$17 million. An additional Suspension of funding for Legacy Land will result in the loss of two FTE staff and the termination of an effective and efficiently-run program.

Act 209, Session Laws of Hawaii (SLH) 2010, authorized the temporary funding of invasive species programs from the LCF and \$400,000 from the fund was transferred to invasive species projects in 2011. This use of the fund is authorized through June 2013. Additionally, Act 192, SLH 2010, also authorized the transfer of \$1,000,000 from the LCF in FY11 to the General Fund. The Department opposes any further reductions of funding to the Legacy Land Conservation Program such as was proposed in House Bill 785.

WILLIAM J. AILA, JR.
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HB 785
RELATING TO CONSERVATION
House Committee on Water, Land and ocean Resources

February 14, 2010

9:00 a.m.

Room 325

The Office of Hawaiian Affairs (OHA) **OPPOSES** HB784, which temporarily suspends the distribution of a portion of the conveyance tax to the Legacy Land Conservation Fund (LLCF) and directs the use of these funds to invasive species control and mitigation, reforestation and sediment run-off mitigation.

While OHA understands the fiscal constraints facing the state today, it may be improvident to suspend a program as valuable as the LLCF. Through widespread community and legislative support, this special fund (in existence since 2005) was created to assist government agencies and non-profits in leveraging funds to purchase important lands at prices that seem insurmountable. The LLCF enables ho'olaulima through public and private partnerships in unprecedented ways and leverages state resources up to three dollars for every state dollar. Since its creation the LLCF has contributed enormously to the preservation of lands important to Native Hawaiian people, their culture and our collective island heritage.

Invasive species control and mitigation, reforestation and sediment run-off mitigation are ongoing initiatives that deserve increased support. However, chances to protect more biocultural resources through acquisition are opportune and fleeting. The more lands that are acquired and protected will ultimately mean that more invasive species and other conservation threats can be addressed in the long run. The current practice of fortress conservationism views contiguous blocks of land as isolated and separate bio-regions and fails to take into account our interdependence and the porous borders of fences and surveys. We must work in the present being mindful of the past and future generations.

OHA has first hand knowledge of the collaboration and resource pooling it takes to surmount seemingly unreachable land preservation goals. As island people with limited resources, we have long understood the need to work together and pool our resources in hard times.

Therefore, OHA urges the committee to HOLD HB 785. Mahalo for the opportunity to testify on this important measure.



Testimony of The Nature Conservancy of Hawai'i
Opposing H.B. 785 Relating to Conservation
House Committee on Water, Land and Ocean Resources
Monday, February 14, 2011, 9:00am, Room 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 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 opposes H.B. 785. Though we appreciate the intent of this bill to find additional sources of funding for invasive species control and reforestation, we worry that redirecting all funding from the Land Conservation Fund may only serve to dilute or shift limited funds around between critical conservation programs.

The DLNR's Land Conservation Fund (LCF) has its own very important priorities and mission to support the protection of important open space, agricultural, historic and conservation lands. The LCF's land acquisition programs have already experienced cuts of more than 50% because the conveyance tax source of funding has been reduced with the down real estate market.

In 2010, the Legislature amended the statutory authority for the Land Conservation Fund to temporarily authorize a portion of its funding to be used for invasive species and reforestation programs. Utilizing this authority, the Hawai'i Invasive Species Council (HISC), which is led by the Departments of Land & Natural Resources and Agriculture, approved the transfer of \$400,000 from the LCF to invasive species control programs. In somewhat similar circumstances in the summer of 2009, the HISC approved the transfer of \$600,000 from invasive species control, outreach and research programs to mitigate cuts in the critical invasive species prevention programs of the Department of Agriculture, *i.e.*, to prevent layoffs of 21 Plant Quarantine inspectors.

In both of these instances, the agencies and organizations that utilize these funding sources came together and made tough choices amongst themselves about how to best distribute limited funds to help each other get through these difficult times. We appreciate the budget crisis situation that faces the Legislature and we support a strong and coordinated response to address invasive species in our state. We think a prudent course of action at this point is for the state, county, federal, and non-governmental agencies to continue to come together, assess and pool their resources, and develop and implement response plans without legislation that may only serve to artificially move the money around between programs.

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