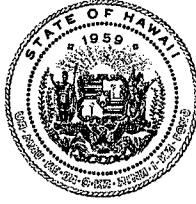


SB 1219

SD 1

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

WILLIAM J. AILA, JR.
INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI
FIRST DEPUTY

WILLIAM M. TAM
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
STATE PARKS

**Testimony of
WILLIAM J. AILA, JR.
Chairperson**

**Before the Senate Committee on
WAYS AND MEANS**

**Tuesday, March 1, 2011
9:20 A.M.**

State Capitol, Conference Room 211

**In consideration of
SENATE BILL 1219, SENATE DRAFT 1
RELATING TO THE LANAI WATERSHED**

The Department opposes Senate Bill 1219, Senate Draft 1, which requires solely private funding be used for the implementation of the Lana'ihale watershed management plan on the island of Lana'i and requires the Department of Land and Natural Resources (Department) to control and manage the implementation of the watershed management plan. The Department supports the intent and need to implement the watershed management plan, but opposes the restrictions being placed on use of other funds and who can manage the project. The Department is all for encouraging private funding for this project and for the private landowners to step up, but does not support prohibiting the project from applying for or receiving other state and federal funds under other competitive grant programs if available.

The Department also opposes the provision that it has to take over the control and management of the watershed management plan. The Department is willing to assist with the project and is providing \$60,000 through the Watershed Partnership Grant Program to fund a part time coordinator, and some limited vegetation surveys and ungulate control efforts this year. The Coordinator will be tasked with integrating the recommendations from the various watershed and forest management plans and developing a 5-year action plan to manage and conserve the watershed. It is not appropriate for the Department to assume the responsibilities to control and manage the implementation of the watershed management plan from the landowner. The implementation should remain flexible to be done by the landowner, their agent, or under a partnership agreement like the other watershed partnerships across the state.

**Testimony before the
Senate Committee on Ways & Means**

S.B. 1219, S.D. 1 -- Relating to the Lanai Watershed

**Tuesday, March 1, 2011
9:20 a.m., Conference Room 211**

**By Robbie Alm
Executive Vice-President
Hawaiian Electric Company, Inc.**

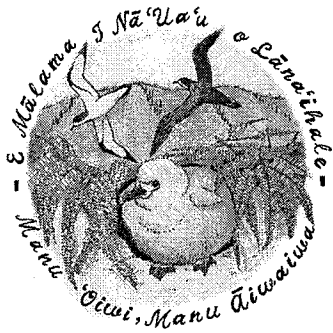
Chair Ige, Vice Chair Kidani and Members of the Committee,

This testimony is being submitted on behalf of Hawaiian Electric Company and its subsidiary utility, Maui Electric Company.

We support the purpose and intent of S.B. 1219, S.D. 1 which proposes to protect and preserve the Lanaihale watershed on the island of Lanai through the implementation of a watershed management plan. During community meetings on the proposed wind farm project and in discussions during the community's visioning process residents raised concerns about the health of Lanaihale which is the island's only watershed forest and the less-than-vigilant efforts to remove invasive alien plants and animal species that threaten the forest. Funding is needed to enable the continuation of various watershed protection projects including fencing to keep feral ungulates out of the watershed, the removal and eradication of alien weeds and invasive species, and the management of rare species that are important for the maintenance of the forest biodiversity.

This bill is among several bills that have been introduced this legislative session which address some concerns and desires raised by residents during community discussions on the wind farm project. If the wind farm is built on Lanai and the power sent to Oahu, it seems only fair to provide the island with the resources necessary to meet critical community needs. We strongly urge this committee to pass this bill.

Thank you for the opportunity to testify.



Maui Nui Seabird Recovery Project

4234 Hana Hwy, Ha'iku, HI 96708

808-280-4114 jayfp@hawaii.edu

A Project of the University of Hawaii, Pacific Cooperative Studies Unit, in association with Hawaii Department of Land and Natural Resources, Division of Forestry and Wildlife and Tri-Isle Resource Conservation and Development

February 28, 2011

WAMTestimony@Capitol.hawaii.gov

“SB1219, Hearing on March 1, 2011 at 9:20 a.m., Room 211”

Senators,

Please do not pass SB 1219, Relating to the Lana'i Watershed on to the full body for a vote.

This bill, as amended by committee, changes the intent and direction of the introduced legislation. As a wildlife biologist working in the Lana'ihale Watershed with a crew of Lana'i residents, I see daily the degradation of the watershed and Lana'i people deserve the same access to state funding to rehabilitate and protect their watershed as any of the rest of the people of Hawaii.

I concur with the testimony of the Department of Land and Natural Resources that DLNR is a partner in management of watersheds through Watershed Partnerships, not a “controlling and managing” entity.

Mahalo,

Jay F. Penniman
Research Specialist/Project Manager

From: Christine Costales [paddle@wave.hicv.net]
Sent: Monday, February 28, 2011 8:32 AM
To: WAM Testimony
Subject: "SB1219, Hearing on March 1, 2011 at 9:20a.m., Room 211"

To: Chair David Y. Ige and Vice Chair Michelle Kidani and members of the Ways and Means Committee:

I strongly **OPPOSE** SB 1219 S.D. 1 and urge you to file this bill.

The Department of Land and Natural Resources is an important partner in sustaining Lana'i's watershed for the community and for the endangered and native species of this forest.

The Lana'i Forest and Watershed Partnership (LFWP) has been an active partner in the Hawaii Association of Watershed Partnerships for a decade. Together the Partnerships involve over forty-five private landowners and twenty four public agencies that cover over 1.6 million acres of land. Operations have always included a combination of public and private funds.

This bill would have the very unhappy result that Lana'i, singled out from the eight other members, would now be treated differently. I believe the LFWP should remain eligible for the same kinds of state and public funding as any other watershed partnership in the state. Members of the partnership have been counting on state participation and funding to continue the vital work of rehabilitating Lana'i's very threatened watershed.

If you want to know more of how and what these funds do for the island of Lana'i, we invite you to visit our website at <http://lanainativespeciesrecovery.org/index.html>

I OPPOSE this bill and urge you to do the same.

Christine Costales
P. O. Box 630422
508 Akahi Place
Lanai City, Hawaii 96763-0422
(808) 559-0436

From: Plunkett, Bryan [BPlunkett@castlecooke.com]
Sent: Monday, February 28, 2011 8:45 AM
To: WAM Testimony
Subject: SB1219, Hearing on March 1, 2011 at 9:20 a.m., Room 211

Dear Legislators,

Over the past decade Lana'ihale Forest and Watershed has been receiving grant funding from the County, State, Federal, and Private organizations to protect this valuable resource for the island of Lana'i residents. Water is a natural resource that private landowners do not 'own' and the watershed is in conservation lands that cannot be developed by the landowner. To put the burden on the landowner and private funding to protect this natural resource, I think, would set back efforts to protect, restore, and enhance our precious forests and watersheds. Castle and Cooke has been doing their part by providing matching funds for many of the grants awarded to protect the Lana'ihale Forest and Watershed. I urge you to please oppose this bill that will hurt all our combined past efforts to protect this one and only valuable resource that provides water to all residents of the island of Lana'i.

Mahalo,

Bryan Plunkett

Manager, Conservation & Natural Resources
Castle & Cooke Resorts, LLC.

Cell 808-559-0444

Ofc 808-565-3218

Fax 565-3325

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From: Leticia Castillo [leticia@wave.hicv.net]
Sent: Monday, February 28, 2011 4:01 PM
To: WAM Testimony
Subject: Re:SB1219

Dear Sirs/Madam,

I am writing in regards of Senate Bill 1219 to oppose this bill. Lanai is a very small island and it has been controlled by a single company. If the government allow the company to manage the only watershed we have on the island, it would not be a good idea. I would rather see that the government take care of this or the county, at lease we know that they will be more accountable to the people that reside on this island. We are already having hard time accepting of the company is doing on the island. They have promised so many things for the residents and most of the promises were broken. So, please don't do this for our community.

Thank you for your kind consideration for my request.

Leticia Castillo

From: Andrea Jepson [jepsona001@hawaii.rr.com]
Sent: Monday, February 28, 2011 8:02 AM
To: WAM Testimony
Subject: *SB1219, Hearing on March 1, 2011 at 9:20 a.m., Room 211

Honorable Committee Members,

I would like to oppose SB1219.

I have some serious concerns about the changes in the Hawaii Association of Watershed Partnerships which impact on the island of Lanai.

The Lana`i Forest and Watershed Partnership has been an active partner in the Hawaii Association of Watershed Partnerships, which together involve over forty-five private landowners and 24 public agencies that covers over 1.6 million acres of land. Operations have always included a combination of public and private funds.

This bill would have the very unhappy result that Lana`i, singled out from the eight other members, would now be treated differently. The LFWP should be eligible for the same kind of state funding as any other watershed partnership in the state and the members of the partnership have been counting on state participation (certainly to include funding) to get the vital work of rehabilitating the watershed going and sustained.

This legislation also sets DLNR up as the "control and management" entity for the watershed. Right now DLNR is a partner in Watershed Management, not a controlling or managing entity.

Andrea I. Jepson
1111 Koohoo Place
Kailua, Hi 96734

From: Chris Mumford [chris@mumfordfamily.com]
Sent: Monday, February 28, 2011 12:36 AM
To: WAM Testimony
Subject: SB1219, Hearing on March 1, 2011 at 9:20 a.m., Room 211

February 27, 2011

State of Hawaii
Ways and Means Committee

I would like to enter my testimony in the record for the above delineated Hearing that is recommending "private funding sources only for the implementation of the Lanaihale watershed management plan". The Lana'i Forest and Watershed Partnership has been an active partner in the Hawaii Association of Watershed Partnerships, which together involve over forty-five private landowners and 24 public agencies that covers over 1.6 million acres of land. Operations have always included a combination of public and private funds.

This bill would single out Lanai and eliminate state funding that is essential to the get vital work done to rehabilitate and maintain the watershed. This bill would also single out Lanai from the other eight participants in the Hawaii Association of Watershed Partnership, making LFWP the only participant that must seek funding from scarce private funds, imposing an unfair burden and unique disadvantage.

This legislation also sets DLNR in the position as the "control and management" for the watershed. Right now DLNR is a partner in Watershed Management, not a controlling or managing entity.

I oppose this bill in its entirety and ask the Ways and Means Committee to renew Lanai Forest and Watershed Partnership with Hawaii Association of Watershed Partnership to equal that of the other eight partners.

Respectfully submitted,
Christine Mumford

From: Sally Kaye [skaye@runbox.com]
Sent: Monday, February 28, 2011 6:42 AM
To: WAM Testimony
Subject: SB 1219 S.D. 1, Hearing on March 1, 2011, Room 211, 9:20 a.m.

To: Chair David Y. Ige and Vice Chair Michelle Kidani and members of the Ways and Means Committee:

I strongly **OPPOSE** SB 1219 S.D. 1 and urge you to file this bill.

The Lana`i Forest and Watershed Partnership (LFWP) has been an active partner in the Hawaii Association of Watershed Partnerships for a decade. Together the Partnerships involve over forty-five private landowners and twenty four public agencies that cover over 1.6 million acres of land. Operations have always included a combination of public and private funds.

This bill would have the very unhappy result that Lana`i, singled out from the eight other members, would now be treated differently. I believe the LFWP should remain eligible for the same kinds of state and public funding as any other watershed partnership in the state. Members of the partnership have been counting on state participation and funding to continue the vital work of rehabilitating Lana`i's very threatened watershed.

This measure also identifies the DLNR as the "control and management" entity; currently it is a partner, not a controlling entity. There is at this time no personnel and no funding to support this increased DLNR capacity, and this measure would mandate that private funds support an increased state presence. It makes no sense.

I OPPOSE this bill and urge you to do the same.

Sally Kaye
511 Ilima Ave., P.O. Box 631313
Lana`i City, HI 96763
808/565-6276

From: Robin [rkaye@mdi.net]
Sent: Monday, February 28, 2011 5:16 AM
To: WAM Testimony
Subject: SB1219, Hearing on March 1, 2011 at 9:20 a.m., Room 211

I am writing to oppose this bill.

It would result in singling out Lānaʻi, with negative impacts. Our island would be discriminated against in that it would actually prohibit any State funding for our watershed partnership. We need to continue the policy, like every other Hawaii watershed partnership, of collaborative funding -- private AND public -- for the Lānaʻi Watershed Partnership.

In addition, this legislation sets up DLNR as the "control and management" entity for our watershed. DLNR should continue its current role as a partner; not as a controlling or managing entity.

Mahalo,

Robin Kaye
rkaye@mdi.net
P.O. Box 631313
Lanai City, HI 96763
808-565-6276 (h)
808-559-6124 (m)

From: Plunkett, Renee [RPlunkett@castlecooke.com]
Sent: Monday, February 28, 2011 7:45 AM
To: WAM Testimony
Subject: SB1219, Hearing on March 1, 2011 at 9:20 a.m., Room 211

Importance: High

Testimony for WAM Relating to Lana'i Watershed - 3/1/2011 9:20:00 AM SB1219

Conference room: 211

Testifier position: Oppose

Testifier will be present: No

Submitted by: Renee Plunkett

Organization: Individual

Address:

Phone:

Email: rplunkett@castlecooke.com

Submitted on: 3/1/2011

Comments:

"The Lana'i Forest and Watershed Partnership has been an active partner in the Hawaii Association of Watershed Partnerships, which together involve over forty-five private landowners and 24 public agencies that covers over 1.6 million acres of land. Operations have always included a combination of public and private funds.

This bill would have the very unhappy result that Lana'i, singled out from the eight other members, would now be treated differently. The LFWP should be eligible for the same kind of state funding as any other watershed partnership in the state and the members of the partnership have been counting on state participation (certainly to include \$) to get the vital work of rehabilitating the watershed going and sustained.

This legislation also sets DLNR up as the **"control and management" entity** for the watershed. Right now DLNR is a partner in Watershed Management, not a controlling or managing entity."

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From: Beverly Zigmond [beverlyzigmond@juno.com]
Sent: Monday, February 28, 2011 7:49 AM
To: WAM Testimony
Subject: SB1219 hearing 3/1/2011 @ 9 am room 211

I OPPOSE this bill. Please do the same.

Domestic Violence Hurts Everyone -
Together We Can Stop It!

Beverly Zigmond, D.N., CSAC
PO Box 631067
Lanai City 96763
808.565.6633