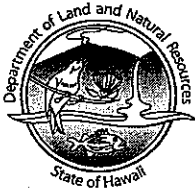


NEIL ABERCROMBIE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Testimony of
WILLIAM J. AILA, JR.
Chairperson

Before the House Committee on
WATER, LAND & OCEAN RESOURCES

Friday, February 3, 2012
9:00AM
State Capitol, Conference Room 325

In consideration of
HOUSE BILL 2820
RELATING TO HAWAIIAN FISHPONDS

House Bill 2820 proposes to amend Chapter 183B, Hawaii Revised Statutes (HRS), to require the Department of Land and Natural Resources (DLNR) to establish the east Honolulu fishpond heritage area. The purposes of the area would be to preserve cultural and historical sites; preserve and protect native Hawaii fish, plants and endangered birds in the area; protect spring water sources; provide a site for future public interpretation of the fishponds' cultural, biological and historical areas; and provide for the reconstruction, rehabilitation and stocking of fishponds subject to Section 171-28, HRS. DLNR opposes this bill as written.

DLNR respectfully suggests the following changes to the language of the bill to preserve existing conditions. As such, DLNR asks that subsection (a)(1) be amended as follows: "Preserve existing cultural and historical sites, including traditional rock walls, fishpond gates, and auwai;"; subsection (a)(2) be amended as follows: "Preserve and ~~protect~~ existing native Hawaiian fish, plants, and endangered birds that presently inhabit the area;"; and subsection (a)(3) be amended as follows "Protect Preserve existing spring water sources, on the surface and underground, from harmful alterations and development;". DLNR also recommends that subsections (a)(4) and (a)(5) be deleted from the bill.

Finally, the properties identified in the bill are owned in fee by the State Department of Transportation (DOT), not DLNR. The properties were acquired with federal funds in condemnation proceedings pursuant to the Kalaniana'ole Highway widening project. In the event any of the properties are proposed to be transferred by DOT to DLNR at gratis¹, DLNR would still need to conduct the necessary due diligence prior to a recommendation and final decision by the Board of Land and Natural Resources on any acquisition.

¹ DLNR is in no position to compensate DOT for the lands, and certainly unable to pay fair market value.

WILLIAM J. AILA, JR.
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