

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 Committees on
OCEAN, MARINE RESOURCES, & HAWAIIAN AFFAIRS
and
WATER & LAND**

**Monday, February 3, 2014
8:45 AM
State Capitol, Conference Room 325**

**In consideration of
HOUSE BILL 2328
RELATING TO THE HAWAIIAN ISLANDS HUMPBACK WHALE NATIONAL
MARINE SANCTUARY**

House Bill 2328 proposes to recognize the State's role in co-managing the Hawaiian Islands Humpback Whale National Marine Sanctuary (Sanctuary). **The Department of Land and Natural Resources (Department) strongly supports this Administration bill.**

The Sanctuary is co-managed by the National Oceanic and Atmospheric Administration (NOAA) the State of Hawaii (State) by way of the "Compact Agreement for Coordinated Management of Hawaiian Islands Humpback Whale National Marine Sanctuary" signed May 4, 1998. The State entered into the co-management agreement with NOAA to improve interagency coordination and enhance the management of Hawaii's humpback whales and other marine resources.

The Sanctuary has achieved many successes over the last fifteen years, including disentangling nearly twenty humpback whales, conducting cutting-edge research, and developing nationally-recognized education and outreach programs. However, the Sanctuary and the State's co-management program, has never been formally established under state law.

State recognition of co-management is critical to maintain state sovereignty and to underscore the State's commitment to co-management over the long-term.

The Department will continue to work with NOAA on more equitable funding, but to engage successfully in the management of the Sanctuary, State recognition and support must occur and should have happened years ago.

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

ESTER KIA'AINA
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

cullen3

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 30, 2014 2:57 PM
To: omhtestimony
Cc: CaptMelWills@msn.com
Subject: Submitted testimony for HB2328 on Feb 3, 2014 08:45AM

HB2328

Submitted on: 1/30/2014

Testimony for OMH/WAL on Feb 3, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Mel Wills III | Individual | Oppose | No |

Comments: This bill and the law should be in union with the Congressional Act. Meaning it should be under review every five years as the HIHWNMS is. What happens as the current status of the Humpback whales through NOAA become delisted as endangered? This bill should not be a automatic agree with the Federal side of the Sanctuary. The state should be able to completely disagree with the Federal management. The state should be the manager.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

cullen3

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 30, 2014 9:18 PM
To: omhtestimony
Cc: makani.christensen@gmail.com
Subject: Submitted testimony for HB2328 on Feb 3, 2014 08:45AM

HB2328

Submitted on: 1/30/2014

Testimony for OMH/WAL on Feb 3, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| makani | Individual | Oppose | No |

Comments: I do not support the bill due to the following: 1) The state is doing all the work, therefore the state should get a larger share for enforcement in sanctuary. 2) Sanctuary should only be in charge of education. They should not be involved in managing resources. 3) Stop trying to expand a sanctuary when you can't manage it. 4) The state originally agreed on a co-management plan. Note: The sanctuary was created by our former governor...allowing the sanctuary within 3 miles/state waters. The governor/state has the right to kick the sanctuary guys out.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

cullen3

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 30, 2014 9:53 PM
To: omhtestimony
Cc: rnvfishing@gmail.com
Subject: Submitted testimony for HB2328 on Feb 3, 2014 08:45AM

HB2328

Submitted on: 1/30/2014

Testimony for OMH/WAL on Feb 3, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Roy N Morioka | Individual | Oppose | No |

Comments: The Humpback whales that visit HAWAII have recovered beyond expectations and extraordinary management measures and protections are no longer needed. ESA and MMPA regulations provide sufficient protections and overwhelmingly the International Whaling Ban has virtually eliminated the hunting of whales leading to the recovery of most stocks including the humpbacks whales that visit Hawaii. As such, scarce public resources are better directed at critical projects such as early childhood education. Finally, "national" sanctuaries such as the Hawaiian Island Humpback Whale National Marine Sanctuary has outlived its usefulness and such agreements with the federal government must be cancelled. Thank you for this opportunity to provide this testimony in opposition. Respectfully, Roy N. Morioka

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

cullen3

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 02, 2014 8:00 AM
To: omhtestimony
Cc: philferna@gmail.com
Subject: Submitted testimony for HB2328 on Feb 3, 2014 08:45AM

HB2328

Submitted on: 2/2/2014

Testimony for OMH/WAL on Feb 3, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Philip Fernandez | Individual | Support | No |

Comments: I am a fisherman on Hawaii Island. The State's role in the management of the Whale Sanctuary is critical to the people of Hawaii. When the Sanctuary was set up during the Cayetano Administration, Gov Cayetano insisted on the State's ability to co-manage the Sanctuary waters, with the impending release of the Sanctuary's Draft Management Plan, the State needs to take a strong role in providing direction to the Federal Superintendent of the Sanctuary that truly reflects the needs and wants of the citizens of Hawaii. Please support this bill.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

**Testimony of Leimana DaMate
Aha Moku Advisory Committee**

LATE

Before the House Committees on
Ocean, Marine Resources & Hawaiian Affairs
And
Water and Land

Monday, February 3, 2014
8:45 A.M.
State Capitol, Conference Room 325

**In Support of
H.B. 2328**

**RELATING TO THE HAWAIIAN ISLANDS HUMPBACK WHALE NATIONAL
MARINE SANCTUARY**

House Bill 2328 recognizes the State's role in co-managing the Hawaiian Islands Humpback Whale National Marine Sanctuary in the Hawaii Revised Statutes.

The Aha Moku Advisory Committee (AMAC) acknowledges and strongly supports the Legislature's recognition of the State's role as co-manager of the Hawaiian Islands Humpback Whale National Marine Sanctuary.

The Sanctuary is co-managed by the National Oceanic and Atmospheric Administration (NOAA), and the State of Hawaii through the "Compact Agreement for Coordinated Management of Hawaiian Islands Humpback Whale National Marine Sanctuary" put into place in 1998. However, the Sanctuary and the State's co-management program have never been formally established under state law.

The Sanctuary jurisdiction touches on many of the Native Hawaiian areas of ocean subsistence and fishing practices. In their Draft Management Plan, they focus on "Perpetuating Cultural Heritage", "Sustainability" and "Special Sanctuary Areas" such as Ni'ihau, Pila'a on Kauai, and Ma'alaea on Maui.

Of all the people in Hawaii, our Native Hawaiians are impacted the most. The State has constitutional mandates to protect the well-being of the Native Hawaiian people. Based on our dependence on the State to manage our cultural and natural resources, and how the Sanctuary areas integrate with Hawaiian cultural and natural resource areas, we support this bill and ask that it be passed.

Respectfully yours,
Leimana DaMate
Executive Director
Aha Moku Advisory Committee
Phone: 808-587-1498