



**DEPARTMENT OF BUSINESS,  
ECONOMIC DEVELOPMENT & TOURISM**

**NEIL ABERCROMBIE**  
GOVERNOR

**RICHARD C. LIM**  
DIRECTOR

**MARY ALICE EVANS**  
DEPUTY DIRECTOR

No. 1 Capitol District Building, 250 South Hotel Street, 5th Floor, Honolulu, Hawaii 96813  
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804  
Web site: [www.hawaii.gov/dbedt](http://www.hawaii.gov/dbedt)

Telephone: (808) 586-2355  
Fax: (808) 586-2377

Written Statement of  
**RICHARD C. LIM**  
**Director**  
Department of Business, Economic Development & Tourism  
before the  
**HOUSE COMMITTEE ON OCEAN, MARINE RESOURCES, & HAWAIIAN AFFAIRS**  
**And**  
**HOUSE COMMITTEE ON WATER & LAND**  
Monday, February 03, 2014  
8:45 a.m.  
State Capitol, Conference Room 325

in consideration of

**HB 2441**  
**RELATING TO THE KANEOHE BAY REGIONAL COUNCIL.**

Chairs Hanohano and Evans, Vice Chairs Cullen and Lowen, and Members of the Committees.

HB 2441 makes revisions to the Kaneohe Bay Regional Council.

The Department of Business, Economic Development and Tourism (DBEDT) supports the intent of the bill and requests that the bill be amended to remove the DBEDT Director from the Council.

The Director of the Office of Planning (OP), which is attached for administrative purposes to DBEDT, is a member of the Council. The Office of Planning is the State lead for the Coastal Zone Management Program, the Ocean Resources Management Plan and the Hawaii State Plan. All three of these programs call for balancing the environment, economic, social and cultural goals of Hawaii's communities. OP brings that valuable perspective to the Kaneohe Bay Regional Council.

Thank you for the opportunity to testify on this bill.



# KO'OLAUPOKO HAWAIIAN CIVIC CLUB

February 3, 2014

TO: Rep. Faye P. Hanohano, Chair/&Members  
Committee on Ocean/Marine Resources & Hawaiian Affairs

Rep. Cindy Evans, Chair/&Members  
Committee on Water & Land

FROM: Alice P. Hewett, President  
Ko'olaupoko Hawaiian Civic Club

*Alice P. Hewett*

RE: H.B. 2441, Relating to the Kane'ohu Bay Regional Council

On behalf of the Ko'olaupoko Hawaiian Civic Club, I offer our sincere aloha to Chairs Hanohano and Evans, and to the members of your two committees.

The Ko'olaupoko Hawaiian Civic Club is one of the largest in the Association of Hawaiian Civic Clubs, drawing our members primarily from among the nine ahupua'a around Kane'ohu Bay. What happens to and within this Bay matters greatly to all of us, the kupa'aina families who have lived in Kane'ohu for many generations.

Our club has serious concerns about House Bill 2441, and urge your committee to either file this bill or make meaningful and sensible changes to address the original purpose of the law which created this Regional Council: to protect and preserve Kane'ohu Bay for generations to come.

We have no argument with the proposed amendment to delete a representative of the Department of Education from the statutes – time and experience have demonstrated that this representation is not needed on the Council.

We do, however, take issue with the changes suggested in Section 200D-2, subsection (e), which currently states that the chair of this body should not be a governmental representative. For this advisory council to truly be representative of the communities that visit or malama Kane'ohu Bay, the chairperson should continue to be someone who is a community representative. The Legislature approves all appointments, so it would seem reasonable that since all members of the Council must pass review by the Legislature, all of the community appointees should be acceptable to you. We have found that members who have government jobs always seem to be too busy to handle the chairing of a community-based council such as this one.

We are also greatly concerned about the suggested deletion of language in S200D-3, subsection 12, which calls for the holding of annual public meetings to discuss the status of the implementation of the Kane`ohe Bay Master Plan. This plan was put together after years of hard work by many in our community, together with government representatives, to address a wide range of concerns regarding the health and use of this important natural and cultural resource. It is our view that the State has never fully implemented the plan, nor has it complied with the guidelines provided in the plan. Because of this, we have seen a growing number of problems in Kane`ohe bay, from inappropriate use of Ahu o Laka, to increasing conflict between fishermen and tour boats, to over-gathering of tropical fish, among many other concerns. Because the state has been unwilling to allow the Council to hold meetings, these conflicts continue to simmer in our community, without any other mechanism to resolve complaints.

So for subsection 12, we would like you to consider inserting the following language:

“(12) Hold quarterly public meetings to receive updates on the status of implementation of the master plan and to work with the Department of Land and Natural Resources to resolve concerns or problems raised by public and private users of Kane`ohe Bay.”

As for Section 3 of H.B. 2441, we feel it is appropriate for the existing Kane`ohe Bay Regional Council to hold meetings to review and evaluate the provisions of this law, and to ascertain what changes, if any, may still be needed. Those individuals who feel that holding four meetings a year would take too much time should decline any invitation to serve as a member of the advisory council.

We appreciate your consideration of our mana`o and urge you to include our suggested changes in this proposed legislation.

Mahalo.

*The Ko`olaupoko Hawaiian Civic Club was established in 1937 and is a not-for-profit community organization dedicated to preserving and perpetuating the history, heritage and culture of Native Hawaiians. Its membership is open to people of Hawaiian ancestry and those who are "Hawaiian at heart".*

**cullen3**

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 01, 2014 2:18 PM  
**To:** omhtestimony  
**Cc:** ndavlantes@aol.com  
**Subject:** Submitted testimony for HB2441 on Feb 3, 2014 08:45AM

**HB2441**

Submitted on: 2/1/2014

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

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nancy Davlantes	Individual	Oppose	No

Comments: I oppose this bill as written because it weakens the status of the Council and its relevance to the Kaneohe Bay community. Since the final meeting of the Kaneohe Bay Regional Council on April 7, 2010, Kaneohe Bay has been without an organized community group mandated by law to oversee activities in the Bay. As a result, illegal activities on the Bay and at He`eia Small Boat Harbor have increased, leading to adverse impacts on the reefs. Additionally, siltation from the construction of H-3 greatly damaged the Bay and is a continuing problem. The lack of fish visible in the Bay is apparently to anyone out there, in part because of illegal tropical aquarium fishing; and the legal commercial operators are increasingly concerned about activities that do not have required permits and are willing to monitor their own operations as well as the illegal ones. Because Kaneohe Bay remains in danger of further deterioration because of the lack of oversight and inaction at the state level, there is no question that the Kaneohe Bay Regional Council be allowed to meet as frequently as the Council deems necessary and hold hearings as often as needed. Thank you for the opportunity to submit testimony. Nancy Davlantes Kaneohe

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](mailto:webmaster@capitol.hawaii.gov)