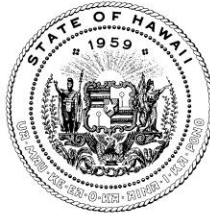


NEIL ABERCROMBIE
GOVERNOR OF HAWAII



**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
OCEAN, MARINE RESOURCES, & HAWAIIAN AFFAIRS**

**Wednesday, March 12, 2014
9:30 AM
State Capitol, Conference Room 325**

**In consideration of
HOUSE CONCURRENT RESOLUTION NO. 65
REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO
ESTABLISH A TASK FORCE TO ASSIST WITH THE DEVELOPMENT OF RULES
TO ENSURE GREATER PROTECTION OF THE STATE'S OCEAN RESOURCES**

House Concurrent Resolution 65 requests the Department of Land and Natural Resources (Department) to establish a task force to assist in the development of rules. The Department appreciates the intent of the measure and offers the following comments:

During the normal course of rule development, a variety of complex issues arise that require the Department to consult with knowledgeable individuals, agencies or organizations with expertise in these subject matter. The Department also consults with those who would be most affected by the passage of such rules to better understand the potential impacts that such changes will have on them. This knowledge provides us with the best available information to help us make the best management decisions. With each new possible rule comes a new set of individuals with the expertise to help us.

The Department already consults with a number of organizations to better manage the State's resources. The Aha Moku Advisory Committee is established in statutes to provide the Department with advice from the native Hawaiian perspective to ensure that we are mindful of the traditional and cultural practices. For example, the Kauai Aquatic Life and Wildlife Advisory Committee provides us with a local perspective from Kauai fishers and hunters for rules that would impact Kauai. We depend on these organizations and individuals to ensure that the rules make sense, create both maximum conservation and economic benefits and are enforceable.

The Task Force approach may be useful when dealing with a specific issue or focusing in a specific area where the members of the task force possess specialist knowledge on that subject matter, but may have a more limited use on wider, more broad reaching, matters.

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

JESSE K. SOUKI
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



COMMITTEE ON OCEAN, MARINE RESOURCES, & HAWAIIAN AFFAIRS

Rep. Faye P. Hanohano, Chair
Rep. Ty J.K. Cullen, Vice Chair

DATE: Wednesday, March 12, 2014
TIME: 9:30 a.m.
PLACE: Conference Room 325

Speaking in Conditional Support of HCR 65

RE: REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ESTABLISH A TASK FORCE TO ASSIST WITH THE DEVELOPMENT OF RULES TO ENSURE GREATER PROTECTION OF THE STATE'S OCEAN RESOURCES.

Chair Hanohano, Vice Chair Cullen and Members of the Committee:

My name is James E. Coon, President of the Ocean Tourism Coalition. The OTC represents over 300 small ocean tourism businesses state wide. Most of these are family businesses which are locally owned and operated. Many of them have been in business for several decades and are an important and valued part of their respective communities.

The Ocean Tourism Industry depends on an environment that is healthy and protected. We agree that much more work needs to be accomplished in order to develop wise stewardship rules that will both protect the environment and not harm the many stakeholders that depend on this same environment for their survival. There are already several entities working on these issues: There is the Ocean Resources Management Plan Working Group; The Hawaiian Islands Humpback Whale National Marine Sanctuary Advisory Council; The Climate Change Working Group; the Marine and Coastal Zone Advocacy Council; to name at least four. It is very important that this Task Force not operate in a silo, but be communicating and building upon the hard work that is already being accomplished by these other groups.

If the Committee plans to pass out this Resolution we would like to see at least one seat on this Task Force that represents the Ocean Tourism Industry which is very important to our State's economy and has a strong commitment to protect and preserve our environment.

Sincerely,

James E. Coon, President OTC
808-870-9115

Hawai'i Goes *Fishing*

Dean Sensui, Executive Producer

PO Box 893640 ♦ Mililani, HI 96789 ♦ dean@HawaiiGoesFishing.com ♦ 808-265-8875

Testimony on HCR 65
10 March 2014

Chairperson Faye Hanohano, Vice Chairman Ty Cullen, and members of the committee for Ocean, Marine Resources, & Hawai'ian Affairs:

I am writing in support of House Resolution HCR 65, that requests the Department of Land and Natural Resources to establish a task force to assist with the development of rules to ensure greater protection of the state's ocean resources.

In particular, I find the concept of applying traditional and cultural knowledge with empirical scientific evidence a very powerful combination.

Ancient Hawai'ians depended entirely upon existing resources to survive. They made careful observations for years and even generations, developed working theories about how natural systems functioned, and were able to successfully predict future outcomes. That same general process is the basis for modern science.

For centuries, our fisheries have played a crucial role in self-sufficiency. In the 21st Century it still can do that, and continue to be sustainable for generations to come.

While our coastal waters are very attractive and important to tourism, let's not forget that it helped feed hundreds of thousands of Hawai'ians long before the arrival of Capt. Cook. These resources, when carefully managed, can certainly support both purposes.

Aloha,

A handwritten signature in black ink, appearing to read 'Dean Sensui', written over a horizontal line. The signature is stylized and cursive.

Dean Sensui
Executive Producer
Hawai'i Goes Fishing

Testimony of The Nature Conservancy of Hawai'i
Opposing HCR 65 Requesting the Department of Land and Natural Resources to
Establish a Task Force to Assist with the Development of Rules to Ensure
Greater Protection of the State's Ocean Resources
House Committee on Ocean, Marine Resources and Hawaiian Affairs
Wednesday, March 12, 2014, 9:30AM, Room 325

The Nature Conservancy of Hawai'i is a private non-profit conservation organization dedicated to the preservation of the lands and waters upon which life in these islands depends. The Conservancy has helped to protect nearly 200,000 acres of natural lands in Hawai'i. Today, we actively manage more than 35,000 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 HCR 65 because it would establish a small, politically appointed task force that would have a disproportionate influence on Hawai'i marine rules without direct knowledge of the particular resources, people, or traditions of the communities affected by those rules. For these same reasons, we are also opposed to HB 709 HD2 that was passed last week by the House.

Communities and families from all across the islands have seen near shore resources declining dramatically because of a lack of management in the past. They see it as their responsibility to restore and take care of those resources. So, for several years, communities like Hā'ena, Mo'omomi, Kīpahulu, Ka'ūpūlehu and Miloli'i, to name a few, have been working with the DLNR to develop the management structures based on traditional knowledge and practices specific to their place needed to recover their fisheries and other marine resources. Working within the existing law and administrative rulemaking process, they have conducted public outreach meetings, and consulted in groups and individually with community members, fishermen, the Aha Moku Councils, Hawaiian Civic Clubs, government agencies, and many others whose thoughts and experience have been included in management plans.

These communities are committed to ensuring the long-term health of their fisheries and coastal resources because they have depended on them for generations and will for generations to come. A small, politically appointed task force is neither needed nor is it appropriate that it would take precedence over generations of knowledge, history, and many years of hard work by the families and community members who are committed to restoring abundance for generations to come.

Instead of creating this task force, we ask that you simply acknowledge and support these community-based efforts.

BOARD OF TRUSTEES

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 10, 2014 8:54 PM
To: omhtestimony
Cc: teresamlee.51@gmail.com
Subject: Submitted testimony for HCR65 on Mar 12, 2014 09:30AM

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HCR65

Submitted on: 3/10/2014

Testimony for OMH on Mar 12, 2014 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Teresa L. Nakama	BIG ISLAND FISHERIES ALLIANCE	Support	No

Comments: We the members of BIFA fully support HCR 65 that states the following: "WHEREAS, a task force consisting of representatives of the State and various stakeholders is needed to engage in meaningful discourse to establish and implement administrative rules and guidelines to facilitate a fair and informed update of current ocean management practices and procedures; now, therefore, BE IT RESOLVED by the House of Representatives of the Twenty-seventh Legislature of the State of Hawaii, Regular Session of 2014, the Senate concurring, that the Chairperson of the Board of Land and Natural Resources is requested to establish a task force to assist the Department of Land and Natural Resources in developing rules to ensure greater protection of the State's ocean resources; We of the BIFA implore this legislation to support this HCR 65.

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Cc: tinaowens@hawaii.rr.com
Subject: Submitted testimony for HCR65 on Mar 12, 2014 09:30AM

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HCR65

Submitted on: 3/10/2014

Testimony for OMH on Mar 12, 2014 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Tina Owens	Individual	Oppose	No

Comments: I strongly ask the committee to kill this resolution as it does no good in terms of protecting our resources. Going back to the old way of having to have ALL fisheries regulations applied evenly throughout the state is in direct opposition to old Hawaiian practices and recent trends in community-based marine management efforts. It add another layer of government involvement by people who know nothing about the subject. Members would be political appointees with no scientists or marine managers on the task force. This opens the door wide for influence peddlers and corruption. Instead of a statewide one-size-fits-all strategy, which failed continuously up through the 90's, I strongly urge you to support community-based management efforts. After all, why should some guy from O'ahu tell us we can't do what we see needs doing on our own island? Please kill this resolution.

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HCR65

Submitted on: 3/10/2014

Testimony for OMH on Mar 12, 2014 09:30AM in Conference Room 325

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

Comments: I am a resident of Hawaii Island and I support this resolution. Ocean resources are important for all the residents of Hawaii and deserves to have a high level, state-wide task force to review policies and plans. Consultation of Native Hawaiian practices as well as empirical and scientific data is critical in the development of ocean resource management policies and regulations.

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Cc: rnvfishing@gmail.com
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HCR65

Submitted on: 3/11/2014

Testimony for OMH on Mar 12, 2014 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Roy N Morioka	Individual	Support	No

Comments: Honorable Chair Hanohano, Vice Chair Cullen and Members of the House Committee on Ocean, Marine Resources and Hawaiian Affairs: Thank you for this opportunity to submit testimony In Strong Support of this vital Resolution. As witnessed in the 2014 Legislative Session, our ocean and marine resources are of great importance and the inclusion of the greater community is essential. Verifiable contemporary and empirical sciences are critical criteria toward the effective conservation and management our precious marine resources vital to the food security and sustainability of our island State. A comprehensive and inclusive view and analyses of available science and observations by a broad representation of our community is critical to an effective conservation and management ethic regarding our finite marine resources. Thank you again for hearing my testimony in strong support. Roy N. Morioka Sr. Citizen & Fisherman

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Cc: bfunai@hawaii.rr.com
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HCR65

Submitted on: 3/11/2014

Testimony for OMH on Mar 12, 2014 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Brian F. Funai	Individual	Support	No

Comments: I support a task force that is inclusive of all sectors of the community because we all have a direct impact on the resources that we want to protect for our use and preserve for future generations.

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To: omhtestimony
Cc: fishingready@gmail.com
Subject: Submitted testimony for HCR65 on Mar 12, 2014 09:30AM

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HCR65

Submitted on: 3/11/2014

Testimony for OMH on Mar 12, 2014 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Ronald Tam	Individual	Support	No

Comments: Chair Hanohano, Members of the Committee: I fully support the proposed initiative stated in subject resolution. Of some concern is that the language directing the composition of the proposed task force does not ensure that any member or all members be Hawaii fishing knowledgeable and experienced. Consideration of the absence of such specifying language is requested. Thank you for this opportunity to testify. Sincerely, Ronald Tam 1082 Lunalilo Home Road Honolulu, HI 96825

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HCR65

Submitted on: 3/10/2014

Testimony for OMH on Mar 12, 2014 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
marjorie erway	Individual	Oppose	No

Comments: This is completely unnecessary and easily could be counter productive.

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Cc: klegislature@gmail.com
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HCR65

Submitted on: 3/11/2014
Testimony for OMH on Mar 12, 2014 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Kelvin Ching	Individual	Support	No

Comments: Honorable Chair Hanohano, Vice Chair Cullen and Members of the House Committee on Ocean, Marine Resources and Hawaiian Affairs: Thank you for this opportunity to submit testimony In Strong Support of this vital Resolution. Thank you, Kelvin Ching

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HCR65

Submitted on: 3/11/2014

Testimony for OMH on Mar 12, 2014 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Greg Holzman	Individual	Support	No

Comments: I support this Bill As fishermen we appreciate the truth about our resource based on science not here say.

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HCR65

Submitted on: 3/11/2014
Testimony for OMH on Mar 12, 2014 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Edwin Watamura	Individual	Comments Only	No

Comments: Being that a very large part of DLNR influence encompasses the ocean that surrounds us, I think that representatives from the fishing community should be an element included in the task force

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Cc: aalona73@me.com
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HCR65

Submitted on: 3/11/2014
Testimony for OMH on Mar 12, 2014 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
EDWIN RAY A'ALONA DELA CRUZ	Individual	Support	No

Comments: GREAT IDEA. I SUPPORT THIS BILL

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SB2330

Submitted on: 3/11/2014
Testimony for OMH on Mar 12, 2014 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Kelvin Ching	Individual	Oppose	No

Comments: I do not agree. State representation as chair should not be allowed. We put too much time and effort into Kaneohe Bay master plan and regional council to allow this type of representation. It will be dangerous to the community. I strongly oppose. Kelvin Ching

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Cc: paul.bueltmann@gmail.com
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HCR65

Submitted on: 3/11/2014

Testimony for OMH on Mar 12, 2014 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Paul Bueltmann	Individual	Support	No

Comments: My only concern is that the task force takes into account all the people's voices. Mahalo

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Cc: shyla.moon@ymail.com
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HCR65

Submitted on: 3/11/2014
Testimony for OMH on Mar 12, 2014 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Shyla Moon	Individual	Support	No

Comments: I'm in support of this bill. Great idea to lay rules down such as these for our ocean resources. Thank you.

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HCR65

Submitted on: 3/11/2014

Testimony for OMH on Mar 12, 2014 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Ben Wong	Individual	Comments Only	No

Comments: I am in support of HCR 65.

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LATE



Testimony Before The
House Committee on Ocean, Marine Resources and Hawaiian Affairs
IN OPPOSITION TO HCR 65
Wednesday, March 12, 2014, 9:30AM, Room 325

My name is Kevin Chang and I am the Executive Director of Kua'āina Ulu 'Auamo (or KUA). KUA works to empower grassroots rural and Native Hawaiian mālama 'āina groups to celebrate their places and pass on their traditions to better Hawai'i and achieve 'āina momona— an abundant, productive ecological system that supports community well-being. KUA employs a community-driven approach and facilitates a network of more than 25 communities across ka pae'āina o Hawai'i (the Hawaiian archipelago) called E Alu Pū (moving forward together).

KUA opposes HCR 65 because it would establish a small, politically appointed task force to work with DLNR to develop rules that will affect many of the communities we work with. Moreover it will do so without the direct benefit of their unique knowledge of the resources, people, or traditions of their place. For these same reasons, KUA is also opposed to HB 709 HD2 passed last week by the House. A centralized and politically-appointed task force should not take precedence over generations of place based knowledge, history, and many years of hard work by the families and community members committed to restoring abundance for future generations.

On its face much of the resolution's language is commendable and sets forth important and laudable values and goals for our state. However, in practice we believe it will disregard and contravene the great efforts expended by communities who have diligently worked with the state, some now for over 10-20 years to develop community based subsistence fishing areas and rules pursuant to HRS 188-22.6, 22.7 and 22.9.

As an example, the community of Hā'ena, Kaua'i worked very long and hard within the existing law and administrative rulemaking process and are at the cusp of establishing their rule package. They set up a community fishery committee, driven and inspired by kupuna experts in the Konohiki practices of the ahupua'a and moku. They conducted outreach and created a management plan over the past 8 years. They developed rules and endured a plethora of drafts working with the state over the past 3 years. Over 60+ public outreach meetings, and consultations in groups and individually with community members, fishermen, the Aha Moku Councils, Hawaiian Civic Clubs, OHA, DLNR's Division of Aquatic Resources, and many other groups and individuals were held.

Our communities are committed to ensuring the long-term health of our fisheries and coastal resources because they have depended on them for generations. Instead, we ask that you support the community efforts arising from the kua'āina up. These efforts are founded on the knowledge of kūpuna, kama'āina 'ohana, and their traditional and customary practices.

LATE

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Cc: mel@malinowski.com
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HCR65

Submitted on: 3/11/2014
Testimony for OMH on Mar 12, 2014 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Mel Malinowski	South Kohala Reef Alliance	Oppose	No

Comments: For many years, local communities have been active in community-based management of their nearshore fishing resources. This bill is an ill-advised attempt to take away the ability of local groups to formulate management rules most appropriate to their area . We already have a mechanism in place to review and approve rules proposed by local communities: the Board of Land and Natural Resources. This bill adds an unnecessary extra layer of bureaucracy, and diminishes local efforts. Centralized management by a small committee in Honolulu would be detrimental to community efforts, and likely to be less responsive to local conditions. Please do not pass this measure. It is not in the best interests of our local communities.

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HCR65

Submitted on: 3/11/2014
Testimony for OMH on Mar 12, 2014 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
George Robertson	Puako Community Assn.	Oppose	No

Comments: This action subverts all the good work of community groups that have been working on local community based solutions to the proper use of ocean resources.

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LATE

cullen2

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 12, 2014 4:24 AM
To: omhtestimony
Cc: mkhan@hawaiiantel.net
Subject: Submitted testimony for HCR84 on Mar 19, 2014 09:00AM

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HCR84

Submitted on: 3/12/2014
Testimony for OMH on Mar 19, 2014 09:00AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Leimomi Khan	Individual	Support	No

Comments: I am submitting testimony in support of HCR 84 and HR 59 with amendment. As these documents will become a legislative record documenting this historical moment in Hawai'i's history, recommend that the name of Mau Piailug be included in the resolution as that master referred to in the opening whereas clause. Also, recommend that the Office of Hawaiian Affairs be included in the distribution clause.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 11, 2014 10:07 PM
To: omhtestimony
Cc: shaelene@hawaii.edu
Subject: *Submitted testimony for HCR65 on Mar 12, 2014 09:30AM*

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HCR65

Submitted on: 3/11/2014

Testimony for OMH on Mar 12, 2014 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Shaelene Kamakaala	Individual	Oppose	No

Comments:

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