

SB2879

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Submit Testimony

Measure Title: RELATING TO THE PAPA HANAUMOKUAKEA MARINE NATIONAL MONUMENT.

Report Title: Papahanaumokuakea Marine National Monument

Description: Recognizes the State's role in co-managing the Papahanaumokuakea Marine National Monument in the Hawaii Revised Statutes.

Companion: [HB2329](#)

Package: Governor

Current Referral: WTL

Introducer(s): KIM (Introduced by request of another party)

Sort by Date		Status Text
1/23/2014	S	Introduced.
1/23/2014	S	Passed First Reading.
1/23/2014	S	Referred to WTL.
2/10/2014	S	The committee(s) on WTL has scheduled a public hearing on 02-14-14 1:15PM in conference room 225

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

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Testimony of
WILLIAM J. AILA, JR.
Chairperson

Before the Senate Committee on
WATER AND LAND

Friday, February 14, 2014
1:15 PM
State Capitol, Conference Room 225

In consideration of
SENATE BILL 2879
RELATING TO THE PAPAHA NAUMOKU AKEA MARINE NATIONAL MONUMENT

Senate Bill 2879 proposes to recognize the State's role in co-managing Papahānaumokuākea Marine National Monument (PMNM). **The Department of Land and Natural Resources (Department) strongly supports this bill as it reflects the State's long term commitment to co-manage the resources of PMNM into perpetuity.**

The Department greatly values the Legislature's recognition of the State's role as a co-trustee of Papahānaumokuākea Marine National Monument (PMNM).

On June 15, 2006, the Northwestern Hawaiian Islands National Marine Monument was established by Presidential Proclamation 8031 under the authority of the U.S. Antiquities Act (16 U.S.C. 431-433). The State of Hawaii, alongside the National Oceanic and Atmospheric Administration (NOAA) and the United State Fish and Wildlife Service (US FWS) were named as the Co-Trustees for the area.

The Co Trustees then entered into an agreement which outlined how the agencies would achieve coordinated management for the area. The "Memorandum of Agreement Among the State of Hawai'i Department of Land and Natural Resources and the U.S. Department of the Interior U.S. Fish and Wildlife Service and the U.S. Department of Commerce National Oceanic and Atmospheric Administration for Promoting Coordinated Management of the Northwest Hawaiian Islands Marine National Monument was signed by then Governor, Linda Lingle, on 12-8-06.

In 2007, the Monument was re-named with its Hawaiian name Papahānaumokuākea, and the following year it was designated as a Particularly Sensitive Sea Area (PSSA) by the Marine Environmental Protection Committee of the International Maritime Organization. In 2010, Papahānaumokuākea was inscribed as a mixed (natural and cultural) World Heritage Site by the

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

delegates to the 34th United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage Convention in Brasilia, Brazil.

One of the world's largest marine protected areas, PMNM is the largest conservation area in the United States, encompassing an area over seven times as large as all the country's national parks combined. PMNM comprises about two-thirds of the Hawaiian archipelago- extending roughly about 1,000 miles past Kauai and Ni'ihau.

The Department has stewardship responsibility for managing, administering, and exercising control over the public trust and submerged lands (most of which are ceded lands), ocean waters, and marine resources, around each of the Northwestern Hawaiian Islands, except at Midway Atoll, Section 171-3 Hawaii Revised Statutes (HRS). In 2005, Hawaii Governor Linda Lingle established the Northwestern Hawaiian Islands Marine Refuge (0-3 nautical miles around all emergent lands, except Midway Atoll) under Sections 187A-5 and 188-53(a), HRS (established as ch. 60.5, Hawaii Administrative Rules). The Department's Division of Aquatic Resources (DAR) manages these waters. The Department's Division of Forestry and Wildlife (DOFAW) manages the emergent lands of the Kure Atoll State Wildlife Refuge. The State Historic Preservation Division (SHPD) and the State Historic Preservation Officer (SHPO) oversee cultural and historical resources statewide (including PMNM). The Department's Division of Conservation and Resources Enforcement (DOCARE) maintains full police powers, including the power of arrest, within all lands and waters within the State's jurisdiction.

State recognition of both our role in co-management and our underlying responsibilities for the area is critical to maintain state sovereignty and to underscore the State's commitment to the resources of PMNM over the long-term.

The Department will continue to work with NOAA and on management issues, including more equitable funding, but to effectively engage in the co-management of PMNM, it is important for the State of Hawaii to officially recognize and support its co-management responsibilities.

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

Before the Senate Committee on
Water and Land

Friday, February 14, 2014
1:15 P.M.
State Capitol, Conference Room 225

**In Support of
S.B. 2879**

**RELATING TO THE PAPA HANAUMOKUAKEA MARINE NATIONAL
MONUMENT**

Senate Bill 2879 recognizes the State's role in co-managing the Papahānaumokuākea Marine National Monument 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-trustee of Papahānaumokuākea Marine National Monument.

We know that by Presidential Proclamation 8031, the three Co-Trustees of the monument are the State of Hawaii, the National Oceanic and Atmospheric Administration (NOAA) and the U.S. Fish and Wildlife Service (US FWS). However, we believe there is a glaring disparity on the funding and position structure that speaks loudly to our communities. Why are there so many federal positions (40+) to our two state staff for this monument?

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, particularly in the farthest reaches of our archipelago, we support this bill and ask that it be passed.

Respectfully yours,

Leimana DaMate
Executive Director
Aha Moku Advisory Committee