

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Testimony of
CARTY S. CHANG
Interim Chairperson

Before the House Committee on
OCEAN, MARINE RESOURCES AND HAWAIIAN AFFAIRS

Wednesday, February 11, 2015
8:30 AM
State Capitol, Conference Room 325

In consideration of
HOUSE BILL 1478
**RELATING TO THE HAWAIIAN ISLANDS HUMPBACK WHALE NATIONAL MARINE
SANCTUARY**

House Bill 1478 proposes to establish the Hawaiian Islands Humpback Whale National Marine Sanctuary (Sanctuary) program, within the Department of Land and Natural Resources (Department); establish the sanctuary co-manager position; and appropriates general funds for the sanctuary co-manager and costs relating to State co-management of the Sanctuary. **The Department strongly supports this bill as its overall concept reflect the State's long term commitment to co-manage the resources of the Sanctuary into perpetuity, provided that its passage does not adversely impact priorities indicated in the Executive Biennium Budget request.**

The Sanctuary was established in 1992 by United States Congress and Sanctuary waters currently comprise almost 25% (800 square miles) of all State waters in the Main Hawaiian Islands. The Sanctuary is co-managed by the National Oceanic and Atmospheric Administration (NOAA) and the State of Hawaii 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.

Since 1998, the State program has always been fully funded by NOAA. However, over the last several years, federal funding has declined by over 70% and current funding is set to expire in July 2015. Furthermore, the Sanctuary and the State's co-management program have never been formally established under state law and no state funding has never been provided. State

CARTY S. CHANG
INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

DANIEL S. QUINN
INTERIM FIRST DEPUTY

W. ROY HARDY
ACTING DEPUTY DIRECTOR - WATER

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BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
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ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

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

In spring 2015, NOAA will propose to expand the Sanctuary from management of humpback whales to management of all natural and cultural resources in its boundaries. NOAA will also propose to expand Sanctuary boundaries to overlay more than 30% (1,000 square miles) of State waters in the Main Hawaiian Islands, including Niihau. The State Co-manager ensures that 1) the current sanctuary is managed with Hawaii's priorities in mind, and 2) NOAA's proposed changes are compatible with Hawaii interests. Now, more than ever, the State of Hawaii needs a Sanctuary co-manager to ensure that the interests of the State and its communities are represented.

The Sanctuary has achieved many successes over the last fifteen years, including disentangling over twenty humpback whales, conducting cutting-edge research, and developing nationally-recognized education and outreach programs. The Department will continue to work with NOAA on more equitable funding for the State and support for these important programs, but to engage successfully in the management of the Sanctuary, State recognition and support must occur and should have happened years ago.

Lastly, the Department has a few suggested technical edits that are included as track changes.

A BILL FOR AN ACT

RELATING TO THE HAWAIIAN ISLANDS HUMPBACK WHALE NATIONAL MARINE
SANCTUARY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that the Hawaiian Islands humpback whale national marine sanctuary provides an essential habitat for breeding, calving, and nursing activities of the endangered North Pacific humpback whale. Since 1998, the sanctuary has been co-managed by Hawaii and the National Oceanic and Atmospheric Administration of the United States Department of Commerce. The State and the National Oceanic and Atmospheric Administration entered into a compact for co-management of the sanctuary to improve interagency coordination and to enhance management of Hawaii's humpback whales and other marine resources. However, the State's role in co-managing the sanctuary has yet to be codified under state law.

The purpose of this Act is to establish the Hawaiian Islands humpback whale national marine sanctuary program to coordinate and

fulfill the State's duties in co-managing the Hawaiian Islands humpback whale national marine sanctuary.

SECTION 2. The Hawaii Revised Statutes is amended by adding a new chapter to be appropriately designated and to read as follows:

"CHAPTER

HAWAIIAN ISLANDS HUMPBACK WHALE NATIONAL MARINE SANCTUARY

§ -1 **Definitions.** For purposes of this chapter:

"Board" means the board of land and natural resources.

"Compact agreement" means the compact agreement for the coordinated management of the Hawaiian Islands humpback whale national marine sanctuary, as entered into by the State and the National Oceanic and Atmospheric Administration of the United States Department of Commerce for the coordinated management of the sanctuary.

"Department" means the department of land and natural resources.

"Sanctuary program" means the state program managing the Sanctuary.

"Sanctuary" means the Hawaiian islands humpback whale national marine sanctuary as designated by Congress in the 1992 Hawaiian Islands National Marine Sanctuary and Protection Act (Subtitle C of Public Law 102-587, as amended by Public Law 104-283) and as may be amended or renamed in accordance with the five-year sanctuary management plan review process established by

Elia Herman 2/11/2015 8:05 PM

Deleted: Program

Elia Herman 2/11/2015 8:08 PM

Deleted: Hawaiian Islands humpback whale national marine sanctuary program

Elia Y K Herman 2/11/2015 8:04 PM

Comment [1]: Suggest changing the definition of "Program" to address possible future name changes to the Sanctuary. This also matches SB1165_SD1.

Elia Y K Herman 2/11/2015 8:04 PM

Comment [2]: Suggest using the definition that is in SB1165 to address possible future name changes to the Sanctuary.

section 304(e) of the Marine Protection, Research, and Sanctuaries Act of 1972, as amended (16 U.S.C. 1434), title III of which Act is known as the National Marine Sanctuaries Act (16 U.S.C. 1431-1445c).

§ -2 **Lead agency.** The department shall be the lead agency in co-managing the sanctuary in accordance with the Hawaiian Islands National Marine Sanctuary Act and the compact agreement. The department shall exercise responsible stewardship in managing, administering, and exercising control over lands, waters, and natural resources relating to the sanctuary.

§ -3 **Sanctuary program.** There is established the sanctuary program within the department to coordinate and fulfill the State's management duties relating to the sanctuary, including:

- (1) Issuing applicable permits;
- (2) Providing advice and recommendations to the governor, department, and other state agencies on matters relating to management of the sanctuary, and any review of the sanctuary's management plan, environmental impact statement, or regulations; and
- (3) Soliciting and accepting grants, donations, and contributions to support management of the sanctuary.

§ -4 **Sanctuary co-manager.** There is established a sanctuary co-manager position within the Hawaiian Islands humpback whale national marine sanctuary program to represent the State in management of the sanctuary, including but not limited to all programs, policies, and operations relating to the sanctuary.

Elia Herman 2/11/2015 8:09 PM
Deleted: means the Hawaiian Islands humpback whale national marine sanctuary, as designated by the United States Congress in the Hawaiian Islands National Marine Sanctuary Act, as amended.

Elia Herman 2/11/2015 8:09 PM
Deleted: Hawaiian Islands humpback whale national marine s

Elia Herman 2/11/2015 8:10 PM
Deleted: Hawaiian Islands humpback whale national marine

Elia Y K Herman 2/11/2015 8:04 PM
Comment [3]: Suggest these changes to match above.

Elia Y K Herman 2/11/2015 8:10 PM
Comment [4]: Suggest including language to include the program's role in any review and/or changes to the sanctuary's management plan, EIS, and/or rules.

§ -5 **Penalties.** (a) Any person who violates any rule adopted pursuant to, or any term or condition of a permit issued under, this chapter shall be guilty of a petty misdemeanor and, in addition to any other penalties provided by law, shall be fined not less than:

- (1) \$250 for a first offense;
- (2) \$500 for a second offense; and
- (3) \$1,000 for a third or subsequent offense.

(b) Fines assessed pursuant to subsection (a) shall not be suspended or waived.

(c) Any criminal or administrative action taken under this chapter shall not preclude the State from pursuing any other criminal action or forfeiture proceeding otherwise provided by law.

(d) Except as otherwise provided by law, the board or duly authorized representative may impose general administrative penalties as provided in section 187A-12.5.

§ -6 **Rules.** The board shall adopt rules pursuant to chapter 91 to implement this chapter."

SECTION 2. There is appropriated out of the general revenues of the State of Hawaii the sum of \$ or so much thereof as may be necessary for fiscal year 2015-2016 and the same sum or so much thereof as may be necessary for fiscal year 2016-2017 to establish one full-time sanctuary co-manager position and costs

relating to the State's co-management of the Hawaiian Islands humpback whale national marine sanctuary.

The sums appropriated shall be expended by the department of land and natural resources for the purposes of this Act.

SECTION 3. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 4. This Act shall take effect on July 1, 2015.

INTRODUCED BY: _____

Report Title:

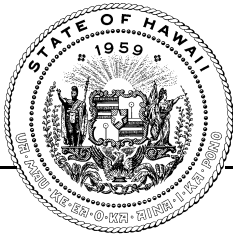
Hawaiian Islands Humpback Whale National Marine Sanctuary Program;
Appropriation

Description:

Establishes the Hawaiian Islands humpback whale national marine sanctuary program. Establishes a sanctuary co-manager position. Appropriates moneys.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

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**OFFICE OF PLANNING
STATE OF HAWAII**

DAVID Y. IGE
GOVERNOR

LEO R. ASUNCION
ACTING DIRECTOR
OFFICE OF PLANNING

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Telephone: (808) 587-2846
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Statement of
LEO R. ASUNCION
Acting Director, Office of Planning
before the
HOUSE COMMITTEE ON OCEAN, MARINE RESOURCES, & HAWAIIAN AFFAIRS
Wednesday, February 11, 2015
8:30 AM
State Capitol, Conference Room 325

in consideration of
HB 1478
**RELATING TO THE HAWAIIAN ISLANDS HUMPBACK WHALE NATIONAL
MARINE SANCTUARY.**

Chair Ing, Vice Chair Lowen, and Members of the House Committee on Ocean, Marine Resources, and Hawaiian Affairs.

The Office of Planning (OP) supports the intent of this bill, HB 1478, which proposes to establish the Hawaiian Islands humpback whale national marine sanctuary (Sanctuary) program and co-manager position within the Department of Land and Natural Resources.

OP administers the State's Coastal Zone Management (CZM) Program. The CZM area encompasses the entire State of Hawaii including the Northwest Hawaiian Islands and extends seaward to the limit of the State's police power and management authority, to include the territorial sea; thus, Sanctuary boundaries overlap with the State's CZM area. Establishing the Sanctuary program benefits the State's CZM program and encourages continued collaboration with a network of agencies for the management of ocean and marine resources.

Thank you for the opportunity to testify.

Re: Strong support HB1478

- I am Lynette Poncin and I live on Maui and am the Chair of the site based chapter of the Hawaii National Marine Sanctuary Foundation based in Washington DC.
-
- **I strongly support legislative efforts to allocate general funds for the State Co-Manager position of the Hawaiian Islands Humpback Whale National Marine Sanctuary** (Sanctuary), as well as the Sanctuary's operations.
- The Sanctuary is one of the key reasons our Foundation exists. We raise money, host events etc to enhance awareness.
- It is inconceivable that anyone could even consider not funding this position. The Whales are what draw soooo many people to our islands and the work that goes behind the scenes to protect them and their environment is incalculable.
- The Sanctuary is one of the world's most important humpback whale habitats, with more than 10,000 whales visiting Hawaii each year.
- The Sanctuary's incredible natural resources draws countless visitors to Hawai'i each year, which subsequently provides essential revenue to hundreds of Hawai'i businesses. Many local nonprofits, conservation organizations, schools and universities also rely on the Sanctuary for its outreach and education programs.
- The Sanctuary has been co-managed by the State of Hawaii and NOAA since 1998. Since that time, the federal government has supported the State Co-Manager position and Sanctuary operations. However, current funding will expire in July 2015.
- This is a critical time. In spring 2015, the federal government will propose shifting the Sanctuary's scope from management of humpback whales to management of all natural and cultural resources in its boundaries. In addition, the proposal will expand Sanctuary boundaries to overlay 30% of State waters (app. 1,000 square miles). Now, more than ever, the State of Hawaii needs a Sanctuary co-manager to ensure that the interests of the State and its communities are represented.
- The State Co-Manager has been a consistent voice for the State, for our communities, and for our resources, working closely with a range of partners—fishermen, community advocates, tour operators, cultural practitioners, universities, agencies, and keiki—to address complex issues related to the Sanctuary, as well as Hawaiian monk seals, sea turtles, and other marine protected species.
- **We need to ensure that the state and Hawaii communities do not lose the one position responsible for co-managing its natural resources.**

- Please allocate general funds for the State Co-Manager position and Sanctuary operations.

Thank you,

Re: Strong support for HB1478

- I am Nina Monasevitch 4457 Laukini Rd. Lihue, HI 96766
- **I strongly support legislative efforts to allocate general funds for the State Co-Manager position of the Hawaiian Islands Humpback Whale National Marine Sanctuary** (Sanctuary), as well as the Sanctuary's operations.
- The Sanctuary is one of the world's most important humpback whale habitats, with more than 10,000 whales visiting Hawaii each year.
- The Sanctuary's incredible natural resources draws countless visitors to Hawai'i each year, which subsequently provides essential revenue to hundreds of Hawai'i businesses. Many local nonprofits, conservation organizations, schools and universities also rely on the Sanctuary for its outreach and education programs.
- The Sanctuary has been co-managed by the State of Hawaii and NOAA since 1998. Since that time, the federal government has supported the State Co-Manager position and Sanctuary operations. However, current funding will expire in July 2015.
- This is a critical time. In spring 2015, the federal government will propose shifting the Sanctuary's scope from management of humpback whales to management of all natural and cultural resources in its boundaries. In addition, the proposal will expand Sanctuary boundaries to overlay 30% of State waters (app. 1,000 square miles). Now, more than ever, the State of Hawaii needs a Sanctuary co-manager to ensure that the interests of the State and its communities are represented.
- The State Co-Manager has been a consistent voice for the State, for our communities, and for our resources, working closely with a range of partners—fishermen, community advocates, tour operators, cultural practitioners, universities, agencies, and keiki—to address complex issues related to the Sanctuary, as well as Hawaiian monk seals, sea turtles, and other marine protected species.
- **We need to ensure that the state and Hawaii communities do not lose the one position responsible for co-managing its natural resources.**
- Please allocate general funds for the State Co-Manager position and Sanctuary operations.

Thank you,

Nina Monasevitch
Hawaii National Marine Sanctuary Foundation Board Member
HIHWNMS 'Sanctuary Advisory Council' Member – Kauai Alternate

COMMITTEE ON OCEAN, MARINE RESOURCES, & HAWAIIAN AFFAIRS

Wednesday, February 11, 2015
8:30 AM

TESTIMONY IN SUPPORT OF HB 1478

RELATING TO THE HAWAIIAN ISLANDS
HUMPBACK WHALE NATIONAL MARINE SANCTUARY

Chairperson Ing and distinguished committee members:

My name is Dave Raney. I am a former member of the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Advisory Council, and I support passage of HB 1478.

The Hawaiian Humpback Whale National Marine Sanctuary is based on partnerships between the state of Hawai'i and the federal government. Co-management between equal partners is a key, and beneficial, principle underlying these partnerships.

Many of the most important natural resources in these marine protected areas are found within state waters. HB 1478 will provide the Department of Land and Natural Resources with the legal authorities and financial means for the State to properly carry out its Co-Management responsibilities, and will demonstrate the State's commitment to the effective management of the public trust resources involved.

The dollar amounts are modest, and the benefits are significant. I urge passage of HB 1478.

Mahalo for the opportunity to present my testimony on this important matter.



The Nature Conservancy, Hawai'i Program
923 Nu'uuanu Avenue
Honolulu, HI 96817

Tel (808) 537-4508
Fax (808) 545-2019
nature.org/hawaii

Testimony of The Nature Conservancy of Hawai'i
Supporting H.B. 1478 Relating to the Hawaiian Islands Humpback
Whale National Marine Sanctuary
House Committee on Ocean, Marine Resources, and Hawaiian Affairs
Wednesday, February 11, 2015, 8:30AM, 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 supports H.B. 1478 to formally establish the program and co-manager position in the DLNR to represent the State's interests in the Hawaiian Islands Humpback Whale National Marine Sanctuary.

The Humpback Whale Sanctuary surrounding the main Hawaiian Islands overlaps with some of the most important marine assets belonging to the State of Hawai'i. The federal government has supported the State co-manager position for the Sanctuary for many years, but those funds are going away. It is critical that the State support its share of the co-management partnership for these resources and, perhaps more importantly, ensure that its interests are properly represented going forward.

National Marine Sanctuaries play a valuable role in the marine conservation. Not only are they designed to protect important biological and archeological resources, they have served as test beds for new management techniques, provide critical research and monitoring opportunities that extend beyond their boundaries, and have helped to increase public education and awareness of ocean issues and the role healthy oceans play in our lives and livelihoods.

In spring 2015, the federal government will propose shifting the Whale Sanctuary's scope from management of humpback whales to management of all natural and cultural resources in its boundaries. In addition, the proposal will expand Sanctuary boundaries to overlay 30% of State waters (~1,000 square miles). Now, more than ever, the State of Hawai'i needs and established program and Sanctuary co-manager in DLNR to ensure that the interests of the State and Hawai'i's people are represented in the joint management of these resources with the federal government.

Thank you for the opportunity to testify on this measure.

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Dustin E. Sellers Dustin M. Shindo Nathan E. Smith Peter K. Tomozawa James Wei Eric K. Yeaman



Working together to restore clean water, healthy coral reefs and abundant native fish populations to the islands of Maui Nui.

Robin Newbold, Chair

Tegan Hammond,
MCRP Coordinator

Amy Hodges,
Program Assistant

Irene Bowie

Rich Brunner

Jay Carpio

Linda Nakagawa Castro

Rhiannon Chandler

Mark Deakos

Lucienne deNaie

Scott Fisher

John Gorman

Wendy Harvey

Harry Hecht

Sol Kaho'ohalahala

Robin Knox

Ekolu Lindsey

Takeo Miyaguchi

Tamara Paltin

Dana Reed

Rina Sampson

Larry Stevens

Ananda Stone

Darla White

February 4, 2015

**Re: General Funding for State Co-Management of the Hawaiian Islands
Humpback Whale National Marine Sanctuary - HB 1478**

Aloha Senators and Representatives:

The Maui Nui Marine Resource Council respectfully submits support for legislative efforts to allocate general funds for the State Co-Manager position of the Hawaiian Islands Humpback Whale National Marine Sanctuary (HIHWNMS) and its operations.

Our council consists of 22 members and numerous advisors who represent a broad spectrum of the community including commercial, recreational and subsistence fishers; ocean tourism businesses; scientists, educators and cultural practitioners. Our goals are to have clean water, healthy reefs, and abundant native fish.

The people of Maui Nui depend on Sanctuary waters for cultural, ecological, subsistence, and economic purposes. Protecting this resource requires the cooperation of agencies and organizations at all levels.

The HIHWNMS has been an invaluable partner for us and many other Maui-based organizations. The State Co-Manager has been a consistent voice for the State, for our communities, and for our resources. As the Sanctuary's management scope shifts from species specific to ecosystem based to include all natural and cultural resources in its boundaries, the State Co-Manager's role will become increasingly important in marine resource conservation.

We encourage you to ensure that the State continues to co-manage its natural resources in partnership with the Federal government. Please allocate general funds for the State Co-Manager position and Sanctuary operations.

Thank you,

Robin Newbold

Working together to restore clean water, healthy coral reefs and abundant native fish populations to the islands of Maui Nui.

Chair and Co-
Founder, Maui
Nui Marine
Resource
Council



**Conservation Council
for Hawai'i**

Hawai'i's voice for wildlife

Kō Hawai'i / leo no nā holoholona lōhiu



Testimony Submitted to the
House Committee on Ocean, Marine Resources, and Hawaiian Affairs
Hearing: Wednesday, February 11, 2015 8:30 am, Room 325

In Support of HB 1478 Relating to the
Hawaiian Islands Humpback Whale National Marine Sanctuary

Aloha, Chair Ing, Vice Chair Lowen, and Members of the Committee. The Conservation Council for Hawai'i supports HB 1478, which establishes the Hawaiian Islands humpback whale national marine sanctuary program and the Papahānaumokuākea marine national monument program, establishes a co-manager position, and appropriates moneys.

The Sanctuary is one of the world's most important humpback whale habitats, with more than 10,000 whales visiting Hawai'i each year. The Sanctuary's incredible natural resources draws countless visitors to Hawai'i each year, which subsequently provides essential revenue to hundreds of Hawai'i businesses. Many local nonprofits, conservation organizations, schools and universities also rely on the Sanctuary for its outreach and education programs.

The Sanctuary has been co-managed by the State of Hawai'i and NOAA since 1998. Since that time, the federal government has supported the State Co-Manager position and Sanctuary operations. However, current funding will expire in July 2015.

This is a critical time. In the spring 2015, the federal government will propose shifting the Sanctuary's scope from management of humpback whales to management of all natural and cultural resources in its boundaries. In addition, the proposal will expand Sanctuary boundaries to overlay 30% of State waters (approx. 1,000 square miles).

Now, more than ever, the State of Hawai'i needs a Sanctuary co-manager to ensure that the interests of the State and its communities are represented.



Conservation Council for Hawai'i is a nonprofit, environmental membership organization dedicated to protecting native Hawaiian plants, animals, and ecosystems for future generations. Established in 1950 and based in Honolulu, CCH is one of the largest and most effective wildlife organizations in Hawai'i with more than 5,000 members and supporters, including concerned citizens, educators, scientists, government agencies, and elected officials.

Through research, education, service, organizing, and legal advocacy, CCH works to stop the destruction of native wildlife and wild places in Hawai'i.

Since 1973, CCH has served as the Hawai'i state affiliate of the National Wildlife Federation.

Telephone/Fax: 808.593.0255 | email: info@conservehi.org | web: www.conservehi.org
P.O. Box 2923 | Honolulu, HI 96802 | Office: 250 Ward Ave., Suite 220 | Honolulu, HI 96814

President: Hannah Kihalani Springer | Vice-President: Julie Leialoha | Treasurer: Bianca Isaki | Secretary: Wayne Tanaka
Directors: Rick Barboza | Ryan Belcher | Maka'ala Ka'aumoana | Koalani Kaulukukui
Executive Director: Marjorie Ziegler | Administrator: Jonnetta Peters



Conservation Council for Hawai'i

February 11, 2015

HB 1478 - Page 2

The State Co-Manager has been a consistent voice for the State, for our communities, and for our resources, working closely with a range of partners—fishermen, community advocates, tour operators, cultural practitioners, universities, agencies, and keiki—to address complex issues related to the Sanctuary, as well as Hawaiian monk seals, sea turtles, and other marine protected species.

We need to ensure that the state and Hawai'i communities do not lose the one state position responsible for co-managing its natural resources. Please kokua and allocate enough general funds for the State Co-Manager position and Sanctuary operations.

Mahalo nui loa for the opportunity to testify.

Sincerely,

A handwritten signature in cursive script that reads "Marjorie Ziegler".

Marjorie Ziegler

Testifying in support of Bill 1478

I wish to thank the DNLR, the state legislature and federal government agencies like NOAA for all the legislation in the past that has led to increased fish counts, Monk seal counts on Oahu are up from one in the 80's to 30 today. Monk seals are now 103 in the main Hawaiian Islands with the biggest population in the northwest Hawaiian Islands. Turtle counts up also. Whale counts up to 10,000 across the state! GREAT JOB!

We need to continue to support management and efforts to maintain our state important whale populations. They are truly amazing creatures and I have looked them in the eye up close and their inquisitive nature is incredible. They can and will approach you on rare occasions. To watch males chase females and mothers to nurture their newborns in Hawaiian waters is truly amazing.

Ron Tubbs B.S. N.D.

Technical diver fisherman



February 5, 2015

Testimony to:

House Committee on Ocean, Marine Resources, & Hawaiian Affairs
House Committee on Finance
House Committee on Judiciary

Dear Committee Chairs

I am writing in **strong support** of legislative efforts to allocate general funds for the State Co-Manager position of the Hawaiian Islands Humpback Whale National Marine Sanctuary (Sanctuary), as well as the Sanctuary's operations.

The Sanctuary is an important part of the Hawaiian Islands, and also an important part of Maunalua Bay.

The Sanctuary is one of the world's most important humpback whale habitats, with more than 10,000 whales making an annual migration to Hawaii.

The Sanctuary has been co-managed by the State of Hawaii and NOAA since 1998. Since that time, the federal government has supported the State Co-Manager position and Sanctuary operations. However, current funding will expire in July 2015.

Hawaii's economy is based on its natural resources, with tens of thousands of visitors coming to the islands to experience the natural beauty of the islands and surrounding waters.

This is a critical time. In spring 2015, the federal government will propose shifting the Sanctuary's scope from management of humpback whales to management of all natural and cultural resources in its boundaries. In addition, the proposal will expand Sanctuary boundaries to overlay 30% of State waters (app. 1,000 square miles). Now, more than ever, the State of Hawaii needs a Sanctuary co-manager to ensure that the interests of the State and its communities are represented.

The State Co-Manager has been a consistent voice for the State, for our communities, and for our resources, working closely with a range of partners—fishermen, community advocates, tour operators, cultural practitioners, universities, agencies, and keiki—to address complex issues related to the Sanctuary, as well as Hawaiian monk seals, sea turtles, and other marine protected species.

The Sanctuary is here to stay. By not funding this important position, the State will have NO voice in Sanctuary management, and the Federal Government will make all decisions for Sanctuary waters that overlap with State waters.

We need to ensure that the state and Hawaii communities do not lose the one position responsible for co-managing natural resources found within the Sanctuary.

Please allocate general funds for the State Co-Manager of the Hawaiian Islands Humpback Whale National Marine Sanctuary and Sanctuary operations.

Yours truly,

A handwritten signature in black ink, appearing to read 'F. McGilvray', with a stylized flourish at the end.

Frazer McGilvray
Executive Director
Member of the Board



Testimony Before The House
Committee on Ocean, Marine Resources and Hawaiian Affairs
IN SUPPORT OF HB 1478
Wednesday, February 11, 2015, 8:30AM, 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. We employ a community-driven approach that currently supports a network of more than 31 mālama 'āina community groups collectively referred to as E Alu Pū (moving forward together), 40 fishpond projects and practitioners called the Hui Mālama Loko I'a, and a new and growing hui of Limu practitioners all from across our state.

KUA supports HB 1478 as an incremental step towards 'āina momona. This bill would establish the Hawaiian Islands Humpback Whale National Marine Sanctuary (Sanctuary) within DLNR; establishes the co-managed marine area special fund; appropriates general funds.

Many of the communities in the networks KUA facilitates focus on improving natural resource management and restoration of food and native ecological systems, values and ethics more sensitive to the needs of their wahi (their places). Some of the communities in the networks we facilitate touch upon, interact with and have interests in the borders and shared jurisdiction of the Sanctuary. The collaboration and at sometimes necessary tension between the State and Federal Sanctuary Managers and their overlapping jurisdictions has also led to incremental improvements and evolution of the program in a way more favorable to community input and participation.

This year our federal government will propose shifting the Sanctuary's scope from humpback whales to include all natural and cultural resources in its boundaries. In addition, the proposal will expand Sanctuary boundaries to overlay 30% of State waters (app. 1,000 square miles). Given this shift and the tensions it may bring it is now even more important that our state retain a voice for state and community concerns in this discussion. That voice has been embodied in the State's Sanctuary Co-Manager.

Our communities are committed to ensuring the long-term health of our cultural and natural resources because they have depended on them for generations. This bill among others helps to better support our state's role as a partner with our communities to restore the abundance that we all desire.

Mahalo for this opportunity to testify.

Aloha 'Āina Momona



Ocean Tourism Coalition

The Voice for Hawaii's Ocean Tourism Industry
1188 Bishop St., Ste. 1003
Honolulu, HI 96813-3304
(808) 537-4308 Phone (808) 533-2739 Fax
timlyons@hawaiiantel.net

COMMITTEE ON OCEAN, MARINE RESOURCES, & HAWAIIAN AFFAIRS

Rep. Kaniela Ing, Chair
Rep. Nicole E. Lowen, Vice Chair

DATE: Wednesday, February 11, 2015
TIME: 8:30 AM
PLACE: Conference Room 325
State Capitol
415 South Beretania Street

TESTIMONY OF THE OCEAN TOURISM COALITION
SPEAKING IN STRONG SUPPORT OF HB 1478

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. The Whale Sanctuary enjoys strong support from our members. The Sanctuary has been co-managed by the State of Hawaii and NOAA since 1998. Historically the Fed has funded this State Co-Manager position.

We understand that this necessary funding has been cut from the Federal budget in July, 2015. It is absolutely vital that the State of Hawaii not lose this very important position and be able to have a voice in how to manage our State waters.

The Co-Manager is always looking out for the interests of the People of the State of Hawaii. We must continue to have this voice to protect our collective interests.

The OTC humbly asks you to pass HB 1478 and fund this vital position.

Sincerely,

James E. Coon, President
Ocean Tourism Coalition
808-870-9115
Captcoon@gmail.com

ing2-Mary

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 09, 2015 7:36 AM
To: omhtestimony
Cc: makani.christensen@gmail.com
Subject: Submitted testimony for HB1478 on Feb 11, 2015 08:30AM

HB1478

Submitted on: 2/9/2015

Testimony for OMH on Feb 11, 2015 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
makani	Farming, Hunting, Fishing Association	Oppose	Yes

Comments: We should direct moneys to the state. In this case we will not see a dime.

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.

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Re: Strong support for HB 1478 to allocate general funds for the State Co-Manager position of the Hawaiian Islands Humpback Whale National Marine Sanctuary (Sanctuary), as well as for State Sanctuary operations.

I am Louis M. Herman, Ph.D., an almost 50-year resident of Hawaii, an emeritus professor at the University of Hawaii, and a humpback whale researcher for 40 years.

Let me explain briefly.

Perhaps you read the major piece in the *Honolulu Star-Advertiser* two weeks ago Sunday that described the annual visit of the humpback whales to our waters and the researchers who study them, myself included. I have watched these magnificent animals recover from only a few hundred remnants of commercial whaling when I first pioneered their study in Hawaiian waters in 1976, to now over 10,000 visiting our waters each year! The presence of these whales has become an important State economic and cultural resource, and Hawaii has become known as the best place in the world to view and appreciate whales.

I was gratified when in the 1990s the Hawaiian Islands Humpback Whale National Marine Sanctuary was formed to study and protect these animals, and I was honored to serve for many years as the Conservation Chair of the Sanctuary Advisory Council.

The important fact now is that the Sanctuary is *co*-managed by the Federal Government (under NOAA) and by the State of Hawaii, with the State position of Sanctuary Co-Manager positioned under DLNR. However, that position is funded by NOAA under a stipulation that says in effect, "if funds are available." There has often been uncertainty as to whether funding will be allocated so that in a way the State has been held hostage with the threat of withholding funding always looming. Current funding will expire as of this July.

Of course, the whales remain primarily in the shallower State waters during their winter visit here for mating and birthing so that the interest of the State in their welfare and management is huge as are the interests of the State in addressing the concerns and welfare of the human users of Sanctuary waters.

What can resolve and improve the situation greatly is the funding of the State Co-Manager position by the State. This would take away the potential "hostage" threat and make the State Co-Manager better able to represent not only the whales but also the interests of our people and their values. I therefore ask that you help insure that independence by ***making the position of the State co-Manager of the Sanctuary a State-funded position.***

As full disclosure, my daughter Elia Y. K. Herman has occupied the State Co-Manager position for the last 3.5 years. Although there is understandably a father's pride and concern for his daughter, it is through my own 40 years of work with the whales and my concern and care for the State of Hawaii and its people that I speak now.

With appreciation for your support,

Louis M. Herman, Ph.D.
Emeritus Professor, University of Hawaii

I am Hannah Herman , resident of Aina Haina writing in support of HB 1478. I urge the passage of this bill to allocate general funds for the State Co-Manager position of the Hawaiian Islands Humpback Whale National Marine Sanctuary as well as all Sanctuary operations.

Having lived in Hawaii since the 60s and remembering when there were virtually no Humpback whales in these waters, and then to have witnessed their remarkable recovery, has truly been magical. We need the State to maintain a strong presence in managing this wonderful resource. We cannot rely on the federal government to ensure that the interests of Hawaii and all community members will be considered in Sanctuary decision making. We need the State co-manager to represent Hawaii in dealing with the complex issues surrounding the Sanctuary and all protected marine species in our waters.

Date: February 8, 2015

To: House Committee on Ocean Marine Resources & Hawaiian Affairs
Conference Room 325
Hawai'i State Capitol
415 S. Beretania St.
Honolulu, HI 96813

From: Adam A. Pack, Ph.D.

Re: STRONG SUPPORT FOR HB 1478

Testimony:

Aloha Chairpersons Ing and Lowen and Committee Members:

I STRONGLY SUPPORT HB 1478, which establishes the Hawaiian Islands Humpback Whale National Marine Sanctuary Program within DLNR and allocates general funds for the State Sanctuary Co-Manager position and Sanctuary Co-Management operations.

I am Dr. Adam Pack, an Associate Professor in the Departments of Biology and Psychology at University of Hawaii at Hilo. I am also the current elected Chair of the Hawaiian Islands Humpback Whale National Marine Sanctuary Advisory Council, although for the purposes of this testimony I am only representing myself as a long-time resident in the Hawaiian Islands. I have lived in Hawaii since 1983, and for the past 20 years have been working in the coastal waters off Maui, Oahu and Hawaii Island studying the social ecology, migratory patterns, biology, behavior, and communication systems of our humpback whales. I have published over 25 scientific papers and reports on Hawaii's humpbacks that have provided State and Federal agencies with important information to assist them in the protection and conservation of this endangered species and official State of Hawaii marine mammal.

Hawaii is the principal destination for North Pacific humpback whales migrating from feeding areas in Alaska and elsewhere along the Northern Pacific rim. Each winter and spring, over 10,000 humpbacks congregate in Hawaii's waters to breed, calve and raise their young. Because these activities occur along our coastlines and often involve spectacular aerial displays, they attract tens of thousands of visitors from around the world and constitute a significant economic factor in Hawaii. The total economic impact of Hawaii's humpback whale tour boat industry alone was estimated at \$19-27 million per year back in 1999, supporting nearly 400 jobs (Utech, 2000) and has continued to grow over the last 15 years.

In 1992, U.S. Congress designated the Hawaiian Islands Humpback Whale National Marine Sanctuary (Sanctuary), and in 1998, Governor Cayetano signed a Compact Agreement recognizing a joint State and Federal partnership of the Sanctuary. As part of that original agreement, funding to support the State of Hawaii Co-Manager Position housed in DLNR was to be provided by NOAA pending availability of funds. However, as you are aware, in recent years federal funding for many programs has been cut making budgets and budget planning tenuous at best. At the same time, the Sanctuary's community-based advisory

council has recommended as part of the Sanctuary's management plan review and planning process expanding from a single species sanctuary to one that recognizes the importance of the entire marine ecosystem. I believe that this recommendation is a positive move for the Sanctuary as long as it's commitment to humpback whales is maintained.

However, I also believe that if the State of Hawaii is to be a true partner with NOAA, play a significant role in co-managing the Sanctuary, and live up to its own rights and responsibilities for the protection of Hawaii's fragile marine environment, it must at this critical juncture provide its own State resources to permanently establish and fully fund the State Co-Management Sanctuary Program within DLNR including the allocation of funds for the State Co-Manager Position and Sanctuary Co-Management operations. By providing this funding, the State's ability to co-manage the Sanctuary would not be dependent on fluctuations in federal budgets. Furthermore, the State would be clearly demonstrating to all its long-term commitment to its partnership and active participation in the Sanctuary, as well as to the protection and conservation of Hawaii's marine resources. To best manage Hawaii's marine resources, a true partnership in all senses of the word makes sense, particularly as the Sanctuary considers expanding the resources it manages. More than that, it is simply *pono*. **I therefore urge you to pass HB 1478.**

I sincerely thank you for your time and consideration, and for all that you do to protect Hawaii nei.

Sincerely,

A handwritten signature in black ink that reads "Adam A. Pack". The signature is written in a cursive, flowing style.

Adam A. Pack, Ph.D.

References Cited:

Utech, D. (2000). 'Valuing Hawaii's Humpback Whales: The Economic Impact of Humpbacks on Hawaii's Ocean Tour Boat Industry' in 'The Economic Contribution of Whale Watching to Regional economies: Perspectives From Two National Marine Sanctuaries', Marine Sanctuaries Conservation Series MDS-00-2.

ing2-Mary

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 08, 2015 10:43 AM
To: omhtestimony
Cc: dalesarver@hawaii.rr.com
Subject: Submitted testimony for HB1478 on Feb 11, 2015 08:30AM

HB1478

Submitted on: 2/8/2015

Testimony for OMH on Feb 11, 2015 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Dale Sarver	Individual	Oppose	No

Comments: I do not see there is a need for the Whale Sanctuary at all. The Humpback whales are doing just fine and the populations are growing at the maximum rate. They are not harvested anymore and are protected by several Federal Agencies already. The State does not need to add another costly layer of government to duplicate activities and responsibilities of other existing Federal agencies. DLNR,DAR,& DBOR are grossly underfunded and unable to protect our marine resources as it is and the tax money would be far better spent funding these agencies.

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Lesley A. Awana

I support of Measure HB1478 which establishes the Hawaiian Islands humpback whale national marine sanctuary program. Establishes a sanctuary co-manager position. Appropriates monies.

In order to help propagate and protect the Humpback, a particular species of whale that frequents the Hawaiian Islands, I believe Measure HB1478 should be enacted and promoted in earnest within lawful confine. In past history, our society has hunted and killed these marine animals without regard to its health and population.

Presently, the Humpback whale has helped create a diverse, thriving tourist industry here within the Hawaiian Islands.

Measure HB1478 in my opinion will be a way to recompense for our past history regarding the Humpback whale.

Re: Strong support for HB 1478

- I am Jerrod Kowalski and I am the General Manager for Aqua Lung Pacific in Aiea.
- **I strongly support legislative efforts to allocate general funds for the State Co-Manager position of the Hawaiian Islands Humpback Whale National Marine Sanctuary** (Sanctuary), as well as the Sanctuary's operations.
- The Sanctuary is an important part of the local culture and community and to business we partner with to support tourism.
- The Sanctuary is one of the world's most important humpback whale habitats, with more than 10,000 whales visiting Hawaii each year.
- The Sanctuary's incredible natural resources draws countless visitors to Hawai'i each year, which subsequently provides essential revenue to hundreds of Hawai'i businesses. Many local nonprofits, conservation organizations, schools and universities also rely on the Sanctuary for its outreach and education programs.
- The Sanctuary has been co-managed by the State of Hawaii and NOAA since 1998. Since that time, the federal government has supported the State Co-Manager position and Sanctuary operations. However, current funding will expire in July 2015.
- This is a critical time. In spring 2015, the federal government will propose shifting the Sanctuary's scope from management of humpback whales to management of all natural and cultural resources in its boundaries. In addition, the proposal will expand Sanctuary boundaries to overlay 30% of State waters (app. 1,000 square miles). Now, more than ever, the State of Hawaii needs a Sanctuary co-manager to ensure that the interests of the State and its communities are represented.
- The State Co-Manager has been a consistent voice for the State, for our communities, and for our resources, working closely with a range of partners—fishermen, community advocates, tour operators, cultural practitioners, universities, agencies, and keiki—to address complex issues related to the Sanctuary, as well as Hawaiian monk seals, sea turtles, and other marine protected species.
- **We need to ensure that the state and Hawaii communities do not lose the one position responsible for co-managing its natural resources.**
- Please allocate general funds for the State Co-Manager position and Sanctuary operations.

Thank you,

Jerrod Kowalski
General Manager
Aqua Lung Pacific

Testifying in support of Bill 1478

I wish to thank the DNLR, the state legislature and federal government agencies like NOAA for all the legislation in the past that has led to increased fish counts, Monk seal counts on Oahu are up from one in the 80's to 30 today. Monk seals are now 103 in the main Hawaiian Islands with the biggest population in the northwest Hawaiian Islands. Turtle counts up also. Whale counts up to 10,000 across the state! GREAT JOB!

We need to continue to support management and efforts to maintain our state important whale populations. They are truly amazing creatures and I have looked them in the eye up close and their inquisitive nature is incredible. They can and will approach you on rare occasions. To watch males chase females and mothers to nurture their newborns in Hawaiian waters is truly amazing.

Ron Tubbs B.S. N.D.

Technical diver fisherman

Testimony in Support of HB1478

Please accept my testimony as an Individual in support of HB1478

- **I strongly support legislative efforts to allocate general funds for the State Co-Manager position of the Hawaiian Islands Humpback Whale National Marine Sanctuary** (Sanctuary), as well as the Sanctuary's operations.
- The Sanctuary is one of the world's most important humpback whale habitats, with more than 10,000 whales visiting Hawaii each year.
- The Sanctuary's incredible natural resources draws countless visitors to Hawai'i each year, which subsequently provides essential revenue to hundreds of Hawai'i businesses. Many local nonprofits, conservation organizations, schools and universities also rely on the Sanctuary for its outreach and education programs.
- The Sanctuary has been co-managed by the State of Hawaii and NOAA since 1998. Since that time, the federal government has supported the State Co-Manager position and Sanctuary operations. However, current funding will expire in July 2015.
- The State Co-Manager has been a consistent voice for the State, for our communities, and for our resources, working closely with a range of partners—fishermen, community advocates, tour operators, cultural practitioners, universities, agencies, and keiki—to address complex issues related to the Sanctuary, as well as Hawaiian monk seals, sea turtles, and other marine protected species.
- **We need to ensure that the state and Hawaii communities do not lose the one position responsible for co-managing its natural resources.**
- Please allocate general funds for the State Co-Manager position and Sanctuary operations.

Thank you,

A handwritten signature in black ink, appearing to read 'S. Atkinson', with a large, stylized initial 'S'.

Scott Robert Atkinson
2927 Hibiscus Place
Honolulu, HI 96815

February 9, 2015

Testimony in support of HB483

Dear Honorable Legislators,

I am writing to you to express my strong support for House Bill 483, relating to ocean resources. The passage of this bill is critical to ensuring that the laws we have in place to protect our ocean resources are both respected and enforced, when necessary.

I believe it is essential that we provide law enforcement officers the authority to inspect catches on all commercial fishers in West Hawaii state waters. This is important and is critical to making our regulations work.

My only regret is that this law does not go far enough by extending to waters across the state. However, it is an important step in the right direction. Just as our Native Hawaiian predecessors protected our ocean resources through careful conservation, it is now our kuleana to follow in that tradition.

Please pass House Bill 483 and support the enforcement of our laws meant to protect our ocean resources.

Thank you for your time and consideration of my comments regarding this important issue.

Sincerely,

John P. Holman

ing2-Mary

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 09, 2015 2:35 PM
To: omhtestimony
Cc: tovacallender@gmail.com
Subject: Submitted testimony for HB1478 on Feb 11, 2015 08:30AM

HB1478

Submitted on: 2/9/2015

Testimony for OMH on Feb 11, 2015 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Tova	Individual	Support	No

Comments: Re: Strong support for [INSERT appropriate measure: HB 1478 • I am Tova Callender and live and work in Maui on Natural Resource issues including the ocean. • I strongly support legislative efforts to allocate general funds for the State Co-Manager position of the Hawaiian Islands Humpback Whale National Marine Sanctuary (Sanctuary), as well as the Sanctuary's operations. • The Sanctuary is a key partner in the watershed and ocean health initiative that I coordinate. Many local nonprofits, conservation organizations, schools and universities also rely on the Sanctuary for its outreach and education programs. • The Sanctuary has been co- managed by the State of Hawaii and NOAA since 1998. Since that time, the federal government has supported the State Co-Manager position and Sanctuary operations. However, current funding will expire in July 2015. • This is a critical time. In spring 2015, the federal government will propose shifting the Sanctuary's scope from management of humpback whales to management of all natural and cultural resources in its boundaries. With this shift there are additional ways in which we plan to work with with the Sanctuary. Now, more than ever, the State of Hawaii needs a Sanctuary co-manager to ensure that the interests of the State and its communities are represented. • The State Co-Manager has been a consistent voice for the State, for our communities, and for our resources, working closely with a range of partners—fishermen, community advocates, tour operators, cultural practitioners, universities, agencies, and keiki—to address complex issues related to the Sanctuary, as well as Hawaiian monk seals, sea turtles, and other marine protected species. • We need to ensure that the state and Hawaii communities do not lose the one position responsible for co-managing its natural resources. • Please allocate general funds for the State Co-Manager position and Sanctuary operations. Thank you, Tova Callender

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Re: Strong support for HB 1478 or SB 1165]

- I am Gregg Levine DVM. NOAA contract Veterinarian for Marine Mammal Strandings.
- 267 S. Kalaheo Ave
- Kailua, HI. 96734

For the last 16 years I have worked as a veterinarian responding to stranded dolphins, whales, and Hawaiian Monk seals. On numerous occasions we have had to work with the state, DLNR, to coordinate responses to whale strandings and injured or sick Hawaiian Monk Seals. The role of the state and its partners to coordinate personnel and heavy moving equipment has been critical to, at times to help an injured animal, and at other times to keep our beaches clean and safe by removing dead whale carcasses.

In my opinion, this position is invaluable to these kinds of responses and countless others protecting the state's valuable resources of marine animals (whales, seals, and turtles)

- **I strongly support legislative efforts to allocate general funds for the State Co-Manager position of the Hawaiian Islands Humpback Whale National Marine Sanctuary** (Sanctuary), as well as the Sanctuary's operations.
- The Sanctuary is one of the world's most important humpback whale habitats, with more than 10,000 whales visiting Hawaii each year.
- The Sanctuary's incredible natural resources draws countless visitors to Hawai'i each year, which subsequently provides essential revenue to hundreds of Hawai'i businesses. Many local nonprofits, conservation organizations, schools and universities also rely on the Sanctuary for its outreach and education programs.
- The Sanctuary has been co-managed by the State of Hawaii and NOAA since 1998. Since that time, the federal government has supported the State Co-Manager position and Sanctuary operations. However, current funding will expire in July 2015.
- This is a critical time. In spring 2015, the federal government will propose shifting the Sanctuary's scope from management of humpback whales to management of all natural and cultural resources in its boundaries. In addition, the proposal will expand Sanctuary boundaries to overlay 30% of State waters (app. 1,000 square miles). Now, more than ever, the State of Hawaii needs a Sanctuary co-manager to ensure that the interests of the State and its communities are represented.
- The State Co-Manager has been a consistent voice for the State, for our communities, and for our resources, working closely with a range of partners—fishermen, community advocates, tour operators, cultural practitioners, universities, agencies, and keiki—to address complex issues related to the Sanctuary, as well as Hawaiian monk seals, sea turtles, and other marine protected species.

- **We need to ensure that the state and Hawaii communities do not lose the one position responsible for co-managing its natural resources.**
- Please allocate general funds for the State Co-Manager position and Sanctuary operations.

Thank you,
Gregg Levine DVM
808-358-5311
glevinedvm@aol.com



Working together to restore clean water, healthy coral reefs and abundant native fish populations to the islands of Maui Nui.

Robin Newbold, Chair

Tegan Hammond,
MCRP Coordinator

Amy Hodges,
Program Assistant

Irene Bowie

Rich Brunner

Jay Carpio

Linda Nakagawa Castro

Rhiannon Chandler

Mark Deakos

Lucienne deNaie

Scott Fisher

John Gorman

Wendy Harvey

Harry Hecht

Sol Kaho'ohalahala

Robin Knox

Ekolu Lindsey

Takeo Miyaguchi

Tamara Paltin

Dana Reed

Rina Sampson

Larry Stevens

Ananda Stone

Darla White

February 4, 2015

**Re: General Funding for State Co-Management of the Hawaiian Islands
Humpback Whale National Marine Sanctuary - HB 1478**

Aloha Senators and Representatives:

The Maui Nui Marine Resource Council respectfully submits support for legislative efforts to allocate general funds for the State Co-Manager position of the Hawaiian Islands Humpback Whale National Marine Sanctuary (HIHWNMS) and its operations.

Our council consists of 22 members and numerous advisors who represent a broad spectrum of the community including commercial, recreational and subsistence fishers; ocean tourism businesses; scientists, educators and cultural practitioners. Our goals are to have clean water, healthy reefs, and abundant native fish.

The people of Maui Nui depend on Sanctuary waters for cultural, ecological, subsistence, and economic purposes. Protecting this resource requires the cooperation of agencies and organizations at all levels.

The HIHWNMS has been an invaluable partner for us and many other Maui-based organizations. The State Co-Manager has been a consistent voice for the State, for our communities, and for our resources. As the Sanctuary's management scope shifts from species specific to ecosystem based to include all natural and cultural resources in its boundaries, the State Co-Manager's role will become increasingly important in marine resource conservation.

We encourage you to ensure that the State continues to co-manage its natural resources in partnership with the Federal government. Please allocate general funds for the State Co-Manager position and Sanctuary operations.

Thank you,

Robin Newbold

Working together to restore clean water, healthy coral reefs and abundant native fish populations to the islands of Maui Nui.

Chair and Co-
Founder, Maui
Nui Marine
Resource
Council

February 10th, 2015



RE: Testimony recommending strong support for HB 1478

My name is Kristi West and I direct the Hawaii Pacific University (HPU) marine mammal stranding program where I am also an Associate Professor of Biology. I am in strong support of legislative efforts to allocate general funds for the State Co-Manager position of the Hawaiian Islands Humpback Whale National Marine Sanctuary as well as for Sanctuary operations. Many of my students and stranding volunteers are also in strong support of this bill as demonstrated by the attached list of supporters.

Approximately 20-25 whales and dolphins strand throughout the main Hawaiian Islands every year, and the HPU stranding program is responsible for conducting cause of death investigations to document causes of mortality and threats faced by Hawaiian dolphins and whales. While HPU manages the cause of death investigations that follow a dead stranding event, the State Co-Manager (Ms. Elia Herman) plays an equally critical role during stranding events. Specifically, the Department of Land and Natural Resources (DLNR) ensure that human safety remains of paramount importance during whale strandings and the State Co-Manager coordinates logistics for at sea towing of carcasses or land transport for disposal using heavy equipment when floating or beached dead whales attract sharks to popular beaches.

Decomposing carcasses also pose human health hazards and disease risks to an untrained public and this has historically been mitigated by at sea towing or by disposal efforts on land that are led by the State Co-Manager at DLNR. Large decomposing sperm or humpback whale carcasses that pose human health hazards occur in the Hawaiian Islands occur on at least an annual basis, and I am very concerned about the potential for negative human health and safety impacts to local communities in the absence of permanent support of the State Co-Manager position.

In addition, the State Co-Manager maximizes the opportunity to learn about 20 different species of primarily poorly known dolphins and whales that come ashore in our state during stranding events. Marine mammals are recognized sentinels of ocean health and can provide the first line of detection of ominous changes to our ocean environment. The State Co-Manager coordinates heavy equipment to transport fresh carcasses for examination (such as an endangered Hawaiian false killer whale that stranded last year with 5 fish hooks and a plastic bottle in its stomach) and conducts community outreach. Hawaiian dolphins and whales are an important natural resource to the state of Hawaii and the State Co-Management of Hawaii's marine wildlife is vital to our collective future.

Sincerely,
Kristi West, Ph.D.
Stranding Program Director/Associate Professor of Biology

**College of Natural and
Computational Sciences**

45-045 Kamehameha Highway
Kāne'ohe, HI 96744-5297
USA

T: +1.808.356.5279
E: conatsci@hpu.edu



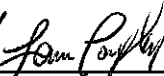


Founded in 1965, Hawai'i Pacific University (HPU) has grown to become the state's leading private, not-for-profit university with three campuses, presences on six military bases, and online courses offered to students around the world. HPU maintains strong academic programs, small class sizes, and a diverse faculty and student population.

With students from all 50 U.S. states and more than 80 countries, HPU is a leading destination for foreign students studying abroad and is recognized as one of America's top 20 masters universities in international enrollment.

HPU is accredited by the Accrediting Commission for Senior Colleges and Universities of the Western Association of Schools and Colleges (WASC), and has additional accreditations and memberships from nationally recognized groups.

www.hpu.edu

I strongly support HB 1478, and SB 1165.






Sign Name	Title
Dakota Steetler	HPU student
Juliana Burdette	Aquarium of the Pacific Volunteer (4yrs)
Jackie Ton	Marine Stranding Program member
Nicholas Hofmann	HPU Student
Johanna Johansson	HPU student
Chelsie Nogaj	HPU student
Andrea Tugisang	HPU student
Samantha Reese	HPU student
Elana Boekman 	Marine Mammal Stranding Program lead
Erin Hanahoe 	marine mammal Stranding Program coordinator
Lauren Tarpley 	Marine Mammal Stranding program lead
Brittney Shook 	Marine mammal Stranding program lead
Trenton Wilder 	Independant
Heather Stambaugh	HPU marine science student
Anabel von Jackowski	HPU student, Marine Mammals Stranding program volunteer
Sarah Hoffman	HPU student & marine mammal stranding program member
Andrea Norwood	HPU marine biology senior and Marine Mammal program volunteer
Brittney Shadday	HPU Marine Biology Student
Lindsey McVay	HPU student : environmentalist
Ashley Wagner	HPU student, stranding team, Hawaii resident

I strongly support HB 1478, and SB 1165.

Sign Name	Title
London Lusk	HPU Student
Stephanie Shaw	HPU Graduate Student, MSMS program
Jennette VanderJagt	HPU, msms graduate student
Erin Kelly	HPU, Marine Science graduate student
Lauren Clark	HPU Student
Clare Wolf	Marine Biology Major at HPU.
Caisha Waffel	HPU Marine Biology Student
Ben France	HPU Fisheries Biologist
Caitlyn Gesicki	HPU marine Biology student and stranding volunteer
Katre Frasher	HPU marine Bio student + stranding program lead
Naomi Hughes	HPU marine Biology student.
Claudia Chabotta	HPU Marine Biology Student
Kristina Wolf <i>Kristina Wolf</i>	HPU Marine Biology student / stranding volunteer
Marianna Koza	HPU marine Biology Student
Mai-Lee Abram	HPU student
Marlene Reyes	Hawaii Resident
Harrison Kazik	HPU student
Dani Guerin	HPU Marine Biology Undergrad Student
Sarah Soden	Marine Biology student at HPU
Kyanna Tamborini	HPU Marine Biology student / stranding volunteer

Sign name	Title
Janelle Van Ruiten	HPU Marine Bio student & animal activist
Kiki Boznet	HPU Marine Bio student
Rachel Partosa	Marine Mammal Stranding Program
Jam Lee	
Matt Dailey	Student

I strongly support HB 1478, and SB 1165.

Sign Name	Title
Dakota Stetler	HPU student
Julianna Burdette	Aquarium of the Pacific Volunteer (4yrs)
Jackie Ton	Marine Stranding Program member
Nicholas Hofmann	HPU Student
Johanna Johansson	HPU student
Chelsie Nogaj	HPU student
Andrea Tugisang	HPU student
Samantha Reese	HPU student
Elana Boekman 	Marine Mammal Stranding Program lead
Erin Hanahoe 	maine mammal Stranding Program coordinator
Lauren Tarpley 	Marine Mammal Stranding program lead
Brittney Shook 	Marine mammal Stranding program lead
Trenton Wilder 	Independant
Heather Stambaugh	HPU marine science student
Anabel von Jackowski	HPU student, Marine Mammals Stranding program volunteer
Sarah Hoffman	HPU student & marine mammal stranding program member
Andrea Norwood	HPU marine biology senior and Marine Mammal Program volunteer
Brittney Shadday	HPU Marine Biology Student
Lindsey Mcvay	HPU student : environmentalist
Ashley Wagner	HPU student, stranding team, Hawaii resident

I strongly support HB 1478, and SB 1165.

Sign Name	Title
London Lusk	HPU Student
Stephanie Shaw	HPU Graduate Student, MSMS program
Jennette VanderJagt	HPU, msms graduate student
Erin Kelly	HPU, Marine Science graduate student
Lauren Clark	HPU Student
Clare Wolf	Marine Biology Major at HPU.
Caisha Waffel	HPU Marine Biology Student
Ben France	HPU Fisheries Biologist
Caitlyn Gesicki	HPU marine Biology student and stranding volunteer
Katre Frasher	HPU marine Bio student + stranding program lead
Naomi Hughes	HPU marine Biology student.
Cleandra Chabota	HPU Marine Biology Student
Kristina Wolf <i>Kristina Wolf</i>	HPU Marine Biology student / stranding volunteer
Marianna Koza	HPU marine Biology Student
Maci-lee Abram	HPU student
Marlene Reyes	Hawaii Resident
Harrison Kazik	HPU student
Dani Guerin	HPU Marine Biology Undergrad Student
Sarah Soden	Marine Biology student at HPU
Kyanna Tamborini	HPU Marine Biology student / stranding volunteer

Sign name	Title
Janelle Van Ruiten	HPU Marine Bio student & animal activist
Kiki Boonet	HPU Marine Bio student
Rachel Partosa	Marine Mammal Stranding Program
Turn	
Matt Dailey	Student



**Testimony of Hawai'i Green Growth In Support of HB1478
Relating to the Hawaiian Islands Humpback Whale National Marine Sanctuary**

House Committee on Ocean Resources, Marine Resources, & Hawaiian Affairs
11 February 2015, 8:30am, Room 325

Audrey Newman
Hawai'i Green Growth
P.O. Box 535 Ho'olehua, Hawai'i 96729

Hawai'i Green Growth is a voluntary partnership of more than 70 state, county, federal, business, and non-governmental leaders from energy, food production, natural resources, waste reduction, planning, green jobs, and other sectors who have come together to support a shared statewide commitment and tangible actions toward sustainability and a model green economy.

Aloha Chair Ing, Vice Chair Lowen, and Members of the Committee:

Hawai'i Green Growth (HGG) strongly supports HB1478 to establish and appropriate money for the Hawaiian Islands humpback whale national marine sanctuary program and sanctuary co-manager position.

The two State Co-Managers represent state priorities in the large-scale marine protected areas jointly managed with federal agencies: Hawaiian Islands Humpback Whale National Marine Sanctuary and Papahānaumokuākea Marine National Monument (PMNM). The Sanctuary Marine Wildlife Program Coordinator oversees State efforts to reduce recreational fisheries-related hookings, entanglements, and other disturbances of Hawaiian monk seals and sea turtles in the Main Hawaiian Islands. HGG members agreed these critical state marine resource management positions in the Department of Land & Natural Resources are top priorities for legislative action to significantly advance the natural resource management goals of the *Aloha+ Challenge*.

The *Aloha+ Challenge: A Culture of Sustainability – He Nohona 'Ae'ōia* is a joint leadership commitment to achieve six sustainability targets by 2030 in the areas of clean energy, local food production, natural resource management, solid waste reduction, smart growth and climate resilience, green jobs and education. The *Aloha+ Challenge* was unanimously endorsed by the 2014 Legislature (SCR 69) and signed by Hawai'i's Governor, Mayors and Office of Hawaiian Affairs. It was also internationally recognized as a model of integrated sustainability at the UN Conference on Small Island Developing States in Samoa.

As a partnership representing Hawai'i's leaders in environment, food and energy, HGG asks for your support of **HB1478**, an important investment to ensure the health and productivity of our marine resources.

Mahalo,

A handwritten signature in black ink that reads "Audrey Newman". The signature is written in a cursive style and is positioned above a light gray rectangular box.

Audrey Newman

Senior Advisor, Hawai'i Green Growth (HGG)

Bringing leaders together to achieve sustainability in Hawai'i & be a model for a green economy

<http://www.hawaiigreengrowth.org>

ing2-Mary

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 10, 2015 2:03 PM
To: omhtestimony
Cc: igibson@hsus.org
Subject: *Submitted testimony for HB1478 on Feb 11, 2015 08:30AM*

HB1478

Submitted on: 2/10/2015

Testimony for OMH on Feb 11, 2015 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Inga Gibson	Humane Society of the US-Hawaii	Support	Yes

Comments:

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.

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ing2-Mary

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 10, 2015 11:44 AM
To: omhtestimony
Cc: mel@malinowski.com
Subject: Submitted testimony for HB1478 on Feb 11, 2015 08:30AM

HB1478

Submitted on: 2/10/2015

Testimony for OMH on Feb 11, 2015 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Mel Malinowski	Individual	Comments Only	No

Comments: Our whale sanctuary has been a great success, and benefits both the whales and Hawai'i tourism. It is time for the state to codify our support of the sanctuary program. We encourage you to pass this sensible and timely bill.

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ing2-Mary

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 10, 2015 7:21 PM
To: omhtestimony
Cc: shyla.moon@ymail.com
Subject: Submitted testimony for HB1478 on Feb 11, 2015 08:30AM

LATE

HB1478

Submitted on: 2/10/2015

Testimony for OMH on Feb 11, 2015 08:30AM in Conference Room 325

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

Comments: Aloha! I oppose the State of Hawaii to have any more responsibility in regards to the Humpback Whale Sanctuary. My reasons: the federal government NOAA is already a manager of this sanctuary. Let them take care of it. Our State departments are already broke as it is and we definitely don't want to receive more federal money with federal regulation ties.

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Testimony of
JOHN N. (JACK) KITTINGER, PHD

In consideration of
HB1478

Relating to the State of Hawai'i's Co-Manager for the Hawaiian Islands Humpback Whale
National Marine Sanctuary

I strongly support legislative efforts to allocate general funds for the State Co-Manager position of the Hawaiian Islands Humpback Whale National Marine Sanctuary

I am the acting Secretary of the Sanctuary Advisory Council for the Hawaiian Islands Humpback Whale National Marine Sanctuary and have worked on coastal conservation issues for over 8 years in the Hawaiian Islands. My family and I live in Niu Valley, Oahu.

The Hawaiian Islands Humpback Whale National Marine Sanctuary is one of the world's most important humpback whale habitats, with more than 10,000 whales visiting Hawaii each year. Further, the Sanctuary's incredible natural resources draws countless visitors to Hawai'i each year, which subsequently provides essential revenue to hundreds of Hawai'i businesses. Many local nonprofits, conservation organizations, schools and universities also rely on the Sanctuary for its outreach and education programs.

The Sanctuary has been co-managed by the State of Hawaii and NOAA since 1998. Since that time, the federal government has supported the State Co-Manager position and Sanctuary operations. However, current funding will expire in July 2015.

This is a critical time. In spring 2015, the federal government will propose shifting the Sanctuary's scope from management of humpback whales to management of all natural and cultural resources in its boundaries – a shift that has been endorsed by the Sanctuary Advisory Council and has engendered a broad base of support from community members. In addition, the proposal will expand Sanctuary boundaries to overlay 30% of State waters (app. 1,000 square miles). Now, more than ever, the State of Hawaii needs a Sanctuary co-manager to ensure that the interests of the State and its communities are represented.

The State Co-Manager has been a consistent voice for the State, for our communities, and for our resources, working closely with a range of partners—fishermen, community advocates, tour operators, cultural practitioners, universities, agencies, and keiki—to address complex issues related to the Sanctuary, as well as Hawaiian monk seals, sea turtles, and other marine protected species.

For the State of Hawaii to be an effective management partner in this collaboratively managed site, we need to ensure that the co-manager position is adequately supported.

Please allocate general funds for the State Co-Manager position and Sanctuary operations.

Thank you,

John N. (Jack) Kittinger, PhD