

DAVID Y. IGE
GOVERNOR OF
HAWAII



SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.
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

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Testimony of
SUZANNE D. CASE
Chairperson

Before the House Committees on
OCEAN, MARINE RESOURCES, & HAWAIIAN AFFAIRS
and
ENERGY & ENVIRONMENT PROTECTION

Wednesday, February 17, 2016
10:00 A.M.
State Capitol, Conference Room 325

In consideration of
HOUSE BILL 2176
RELATING TO ENVIRONMENTAL PROTECTION OF MAUNALUA BAY

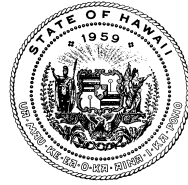
House Bill 2176 proposes to establish the Maunalua Bay Task Force to study and develop recommendations for the Maunalua Bay master plan. **The Department of Land and Natural Resources (Department) opposes this measure. The Department has lead jurisdiction for regulation of activities in Maunalua Bay and is actively engaged with stakeholders in current planning efforts for the bay.**

Maunalua Bay fronts one of Hawaii's most highly populated areas, with a population of over 60,000 immediately adjacent to the bay. The Department's jurisdiction over activities impacting the bay includes forestry and wildlife, aquatic resources, boating and ocean recreation, historic preservation, and conservation and resource enforcement, among others. Examples of resources and threats over which the Department has oversight are upland forest quality and degradation, the freshwater streams in the many watersheds emptying into the bay and issues of water quality and sediment; coastal shorebirds and habitat stewardship; historic fishponds; the marine resources including seagrass beds, reefs and open waters and issues of fisheries depletion and invasive algae; and the many commercial and recreational boating uses including swimming, surfing, fishing, paddling, diving, and thrill craft and user conflicts and safety issues. All of these resources are the public trust responsibility of the Department.

This Department jurisdiction brings responsibility for regulating activities through both local and statewide regulations. Many of these regulations need to be brought up to date to address current conditions. The Department has been actively involved in bay-wide initiatives for community engagement in recent months.

- The Department's Division of Boating and Ocean Recreation (DOBOR) recently formed the Maunalua Bay Recreational Advisory Committee (M-RAC). The purpose of forming the M-RAC is to create a framework to solicit public input on DOBOR rules for ocean recreation in Maunalua Bay. The M-RAC will be given short term (six mos), Mid-range (1-3 yrs), and Long-term (ongoing) goals for the management of Maunalua Bay and will submit recommendations to DOBOR who will then review and propose amendments to the Hawaii Revised Statutes (HRS) or Hawaii Administrative Rules (HAR) if warranted. A full description of the M-RAC can be found on the DOBOR website at <http://dlnr.hawaii.gov/dobor/mrac/>.
- A comprehensive community initiative is underway by Mālama Maunalua to begin a marine spacial planning process, which is a public process used successfully around the world in a broad collaborative method of gathering input and analyzing and allocating the spatial and temporal distribution of human activities in marine areas to achieve identified ecological, economic, and social objectives. This includes a comprehensive array of stakeholders in the bay, including fishers, boaters, recreational users, and others totaling close to 30 stakeholder groups, with a goal to engage in broad and deep dialogue to resolve user conflicts and propose updated regulations to manage our natural and cultural resources and recreational and commercial uses. The Department has been participating in an ex-officio capacity.

The Department is the necessary lead governmental entity for these community engagement initiatives, since the end result of proposed regulations would need to be approved by the Board of Land and Natural Resources and implemented by the Department. The Department believes these initiatives are already well underway and should be allowed to continue, in their current form or as otherwise initiated by the Department to ensure comprehensive stewardship oversight, without being supplanted by a new task force, nor one led by the Office of Planning which does not have the jurisdictional responsibility for regulating activities for the bay that the Department has.



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony COMMENTING on H.B. 2176
RELATING TO ENVIRONMENTAL PROTECTION OF MAUNALUA BAY**

REPRESENTATIVE KANIELA ING, CHAIR
HOUSE COMMITTEE ON OCEAN, MARINE RESOURCES, AND HAWAIIAN AFFAIRS

REPRESENTATIVE CHRIS LEE, CHAIR
HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

Hearing Date: February 17, 2016
Time: 10:30 AM

Room Number: 325

1 **Fiscal Implications:** None.

2 **Department Testimony:** The Department of Health (DOH) respectfully offers comments on
3 this measure. The purpose of this measure is to establish a Maunalua Bay task force to create a
4 comprehensive Maunalua Bay master plan. While the DOH supports the formation of a task
5 force, we believe that the master plan for Maunalua Bay should address the U.S. Environmental
6 Protection Agency's (EPA) nine key elements of a watershed-based plan (WBP). The targeted
7 watersheds could then become eligible for federal grants.

8 WBP provide a roadmap for how watersheds will be managed and are important tools
9 used by federal, state, and local entities to protect water quality and water resources. Specifically,
10 WBPs identify strategies and activities, including best management practices, to improve stream
11 and coastal water quality by reducing and preventing land-based and marine sources of pollution.
12 WBP implementation has resulted in significant pollutant load reductions and water quality
13 improvements throughout the state.

14 The DOH Clean Water Branch (CWB) Polluted Runoff Control (PRC) Program
15 implements WBPs using Clean Water Act (CWA) Section 319 grants, which are awarded to the
16 PRC Program annually by the EPA. Prior to implementation using CWA Section 319 funds, the

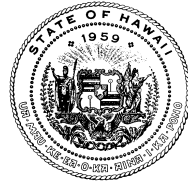
1 WBP must be approved by the DOH-CWB to ensure that the WBP addresses the EPA’s nine key
2 elements of an effective watershed plan, which are described in detail in the EPA’s *Handbook*
3 *for Developing Watershed Plans to Restore and Protect Our Waters* (March 2008) and the
4 *Hawaii Watershed Guidance* (prepared in 2010 by the Office of Planning, Coastal Zone
5 Management Program). The DOH-CWB suggests that these nine key elements be addressed in
6 the Maunalua Bay master plan in order for the entire Maunalua Bay to be eligible for CWA
7 Section 319 funds for water quality improvement projects.

8 Currently, Wailupe watershed is the only watershed with an approved WBP within
9 Maunalua Bay. The PRC Program funded the development of the Wailupe WBP in 2008 and
10 implemented a project from the Wailupe WBP from 2011 to 2014 to demonstrate best
11 management practices at Wailupe Beach Park, resulting in load reductions of total nitrogen, total
12 phosphorous, and sediment. Based on the Statewide Geographic Information System Program’s
13 watershed data, six additional watersheds—Waialae Nui, Niu, Kuliouou, Kamilo Nui, Kamilo
14 Iki, and Portlock—will be eligible to receive CWA Section 319 funds to improve water quality if
15 the nine elements of a WBP are included in the Maunalua Bay master plan. Expanded efforts to
16 control polluted runoff in Maunalua Bay have the potential to benefit the local community by
17 providing cleaner, safer waters for cultural, recreational, and commercial use.

18 **Offered Amendments:** The DOH-CWB suggests the following revision to S.B. No. 3028,
19 Page 5:

20 “SECTION 4: The master plan, as approved by the director of the office of planning,
21 shall include an assessment of the environmental and ecological activities on the bay. The master
22 plan shall address the nine key elements of watershed plans, as described by the *Hawaii*
23 *Watershed Guidance*. The master plan shall be used by all appropriate state agencies in the
24 adoption and implementation of policies, rules, and regulations relating to Maunalua Bay.”

25 Thank you for the opportunity to testify on this measure.



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DEPARTMENT OF HEALTH
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**Testimony COMMENTING on H.B. 2176
RELATING TO ENVIRONMENTAL PROTECTION OF MAUNALUA BAY**

REPRESENTATIVE KANIELA ING, CHAIR
HOUSE COMMITTEE ON OCEAN, MARINE RESOURCES, AND HAWAIIAN AFFAIRS

REPRESENTATIVE CHRIS LEE, CHAIR
HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

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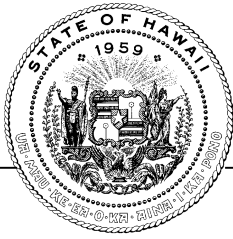
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23 *Watershed Guidance*. The master plan shall be used by all appropriate state agencies in the
24 adoption and implementation of policies, rules, and regulations relating to Maunalua Bay.”

25 Thank you for the opportunity to testify on this measure.



**OFFICE OF PLANNING
STATE OF HAWAII**

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

Telephone: (808) 587-2846
Fax: (808) 587-2824
Web: <http://planning.hawaii.gov/>

DAVID Y. IGE
GOVERNOR

LEO R. ASUNCION
DIRECTOR
OFFICE OF PLANNING

Statement of
LEO R. ASUNCION
Director, Office of Planning
before the
HOUSE COMMITTEE ON OCEAN, MARINE RESOURCES, & HAWAIIAN AFFAIRS
AND
HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

Wednesday, February 17, 2016

10:30 AM

State Capitol, Conference Room 325

in consideration of

HB 2176

RELATING TO ENVIRONMENTAL PROTECTION OF MAUNALUA BAY.

Chairs Ing and Lee, Vice Chair Lowen, and Members of the House Committee on Ocean, Marine Resources, and Hawaiian Affairs, and House Committee on Energy and Environmental Protection.

The Office of Planning (OP) opposes HB 2176, which proposes to establish the Maunalua Bay Task Force whose purpose and function is to create a comprehensive Maunalua Bay master plan. The proposed task force may be duplicative of existing and ongoing initiatives in the area involving the Department of Land and Natural Resources (DLNR), the agency that has lead jurisdiction for regulation of activities in the Bay.

The Maunalua Bay Recreation Advisory Committee (M-RAC) provides an existing framework for the public to submit input on DLNR, Division of Boating and Ocean Recreation rules for ocean recreation in Maunalua Bay. The M-RAC is also charged to develop and provide to DOBOR short-term, mid-range, and long-term management goals for Maunalua Bay.

“Imua Maunalua” is a recent community initiative to begin a marine spatial planning process that will encourage robust dialogue to resolve user conflict and propose updates to regulations to better manage natural and cultural resources, as well as recreational and commercial uses, in Maunalua Bay.

The Office of Planning feels that these initiatives should be allowed to run their course without an additional layer and duplication that the proposed Maunalua Bay Task Force would impose.

Thank you for the opportunity to testify on this measure.

Malama Maunalua testimony on HB 2176 and companion bill SB 3028

As a community-based organization with the vision of *a Maunalua Bay where marine life is abundant, the water is clean and clear, and people take kuleana in caring for the Bay*, Malama Maunalua **supports** the bill. Malama Maunalua believes a community-based process is the best way to address the serious improvements needed to heal and conserve this precious marine resource, while considering the many different uses of Maunalua Bay.

We offer the following suggestions for your consideration:

1. The task force membership should be broadened to ensure that the wider community is fully represented.
2. The Bill should call for an ecosystem-based approach to the Master Plan, as previously stated by the Chair of the Department of Land and Natural Resources (DLNR).
3. As the state agency with established management authority over Maunalua Bay, DLNR would be the appropriate agency to be charged with creating the Maunalua Bay Task Force to create a comprehensive, ecosystem-based Master Plan. The designated agency should be provided funding to perform its functions identified in the Bill.

Malama Maunalua believes it is important that both the ecological and economic integrity of the Bay are understood, taken into consideration, and protected and we support a Maunalua Bay Task Force that achieves this balance.

The Board of Directors
Malama Maunalua

House Bill 2176

Relating to the Environmental Protection
of Maunalua Bay

Livable Hawaii Kai Hui

Sensible Growth, Respect for the land

Meeting: Wed., Feb. 17th, 2016
Hawaii State Capitol Room 325
Time: 10:30am



February 15, 2016

Aloha to the Ocean Marine Resource and Hawaiian Affairs Committee, the Energy and Environmental Committee and the Finance Committee,

The Livable Hawaii Kai Hui is a 501(c)(3) non-profit, non-partisan community organization serving East Honolulu, established in 2004. Our mission is to uphold the integrity of the East Honolulu Sustainable Communities Plan which sets guidelines for sensible development respectful of Hawaiian cultural and natural resources that make East Honolulu a unique place to live. Our projects in Maunalua go mauka to makai and include: Hawea Heiau Complex, Keawawa Wetlands, the agricultural lands in Kamilonui Valley, Pahua Heiau, and Ka Iwi coast and mauka lands with Maunalua Bay an area of strong interest.

The Livable Hawaii Kai Hui strongly supports House Bill 2176 seeking to create and establish a Maunalua Bay Task Force. We understand the Task Force would include representatives from active community organizations in Maunalua, commercial operators and appropriate State Agencies to come together to identify, study and recommend ways to address use, protection and care for Maunalua Bay now and for the future. All involved are important stakeholders in Maunalua Bay.

Numerous community groups from the Maunalua area recognize that the status quo must be addressed. We have come together to do our part to ensure we have a voice in the health, care, use and protection of Maunalua Bay. HB 2176 provides the process of how the Task Force will be put together.

HB 2176 also allows the stakeholders of Maunalua Bay to have a seat at the Task Force table and to have an equal say in the future of Maunalua Bay.

The Maunalua community groups from Hawaii Kai to Aina Haina in this initiative are:

Aina Haina Community Association
Fisher Hui of Maunalua
Hui Nalu Canoe Club
HULI
Livable Hawaii Kai Hui
Maunalua Fishpond Heritage Center
Malama Maunalua
Portlock Community Association

As you can see, these Maunalua community groups represent a large number and wide range of users of Maunalua Bay, all who want to have an active voice in working for the health and care of Maunalua Bay through the establishment of the Maunalua Bay Task Force with HB 2176..

Many of these groups have worked for years for the care of the bay and through this community initiative, which we worked on together, it allows a true voice for our community in policy making. It's an unprecedented initiative for the Maunalua community, with all of these groups coming together, for the same shared goal; the health of Maunalua Bay. In addition, this initiative did not start, and is not part of, any Federal agency. This initiative was created for and by Maunalua community groups.

There is precedent set for community involvement by in protecting ocean resources with DLNR. The Haena Community Based Subsistence Fishing Area was signed into law in 2014 with "strong recognition that government cannot do it alone." This community initiative looks to have community, commercial operators and state agencies working together for Maunalua Bay.

Currently, the Dept. of Land and Natural Resources has put in place the Maunalua Recreation Advisory Committee (M-RAC). However, M-RAC only serves one purpose for Maunalua Bay and that is to review new commercial permits for the bay.

<http://files.hawaii.gov/dlnr/dobor/rules/amend/Amend-13-256-3-4.pdf>

"The department may establish and maintain a Recreation Advisory Committee of not less than three for each recreation management area as defined in this chapter to review and make recommendations for commercial use permits or catamaran registration certificate to be issued by the department."

On the M-RAC, five members represent those who use the bay for ocean activities both commercial and recreational. It only includes one resident and does not include other groups who also have an interest in the health of the bay. A strong relationship exists between the watersheds that flow into the bay and the health of the bay, the MRAC completely excludes these communities.

The Maunalua Bay Task Force will be a far more comprehensive process and one which will have the Maunalua community discuss and identify the environmental issues of the bay that are a shared cause of concern. The Task Force will work together to execute policy for how to help care for Maunalua bay.

We do hope the House Ocean Marine Resource and Hawaiian Affairs Committee, the Energy and Environmental Committee and the Finance Committee support this amazing community initiative for Maunalua and Maunalua Bay.

PLEASE SUPPORT House Bill 2176.

Mahalo,
Ann Marie Kirk
Livable Hawaii Kai Hui
Cultural and Natural Resource Committee
www.hawaiiikai.org



February 16, 2016

HB 2176 Friday, Feb. 17th at 10:30 am
Conference Room 325
State Capitol
415 S. Beretania Street

In Support of HB 2176

Aloha Chair Ing, Chair Lee and Committee Members,

The Maunalua Fishpond Heritage Center is dedicated to the preservation and perpetuation of Maunalua's last fishponds. Many activities that harm the fishery in Maunalua Bay also can have a detrimental effect on our remaining fishponds. In the past the Bay was expertly managed by konohiki Joe Lukela. He would place flags in the water when the fish schools were in the area so that the boats would avoid them. When nets were in the water he would hoist a red flag on the pier so that people would steer clear when the mullet were running.

Over the years many issues have arisen such as channelized streams, pollution, and population growth. Safety is another large issue in the Bay. In 2009 a tragic death occurred in Maunalua Bay of a teen spear fisherman who was run over by a boat. Just recently another tragic spearfishing death due to a boat occurred in Kailua. To address the many issues that are occurring in Maunalua Bay we support the establishment of the Maunalua Bay Task Force.

Mahalo nui loa,

Chris Cramer
President



**Department of Land and Natural Resources
Aha Moku Advisory Committee
State of Hawaii
Post Office Box 621
Honolulu, Hawaii 96809**

Testimony of
Rocky Kaluhiwa
Aha Moku Advisory Committee – O’ahu

Before the House Committees on
Ocean, Marine Resources & Hawaiian Affairs
Energy and Environmental Protection

Wednesday, February 17, 2016
10:30 a.m.
State Capitol, Conference Room 325

**In Consideration of
HOUSE BILL 2176
RELATING TO ENVIROMENTAL PROTECTION OF MAUNALUA BAY**

House Bill 2176 establishes a Maunalua Bay task force to study and develop recommendations for a Maunalua Bay master plan. **The Aha Moku SUPPORTS this measure with amendments.**

The Aha Moku encompasses the eight main Hawaiian Islands, which in turn is comprised of 47 moku and 607 ahupua’a, each one of which is individual and unique with its own natural resources. The focus of the Aha Moku System, as stated by this Legislature is to assist the State in the protection and sustainability of its distinctive natural and cultural resources by bringing forward Native Hawaiian generational and traditional resource methodology that together with scientific expertise may further protect our natural assets. On Kakuhihewa, O’ahu, there are six moku (Waialua, Waianae, Ewa, Koolauloa, Koolaupoko and Kona) with 88 ahupua’a among them. This measure impacts two of the six moku of O’ahu.

Maunalua Bay is unique in that its resources are shared by two moku, Kona and Koolaupoko. It belongs in the Koolaupoko Moku, but borders the Kona Moku ahupua’a of Kuliouou, Niu and impacts Wailupe and Waialae. Freshwater springs fed by artesian water made Maunalua a famous fishery. Once the largest thriving fishpond within the Hawaiian Islands, the 523-acre *Keahupua O Maunalua* fishpond is now the site of the Hawaii Kai Marina and the community of Hawaii Kai.

The bill cites the Kaneohe Bay Master Plan as a blueprint for effecting change, eliminating conflict, and generating public input to fulfill the Legislature and community kuleana to protect and preserve the natural resources of Maunalua. Today, it is often difficult to protect these natural resources because of the influx of invasive species which, because they are not native to Hawaii, often causes irreparable harm to our endemic and indigenous land and marine species. Development in the area caused the destruction of one of the largest and most productive fishponds in all of the Hawaiian Islands. Together, invasive species and man’s need for development effectively destroyed the fisheries of east O’ahu. And while the fishpond itself cannot be restored, the history of Maunalua can be used as an educational tool on the importance of returning this once pristine ecosystem to a stable natural environment.

Our recommended amendments are listed in Section 2 of this bill. Portions we hope to have deleted are (~~bracketed with strike outs~~). Our recommended language is **underlined** and in **bold**.

SECTION 2. The office of planning shall create a Maunalua Bay task force whose purpose and function shall be to create a comprehensive Maunalua Bay master plan, in consultation with members of the community. Upon approval by the director of the office of planning, the master plan shall be presented to all appropriate state agencies that have jurisdiction in Maunalua Bay.

The task force shall be composed of twelve members as follows:

- (1) The director of health or the director's designee;
- (2) The chair of the board of land and natural resources or the chair's designee;
- (3) One member appointed by the governor to represent commercial ocean recreation activities;
- (4) The director of the University of Hawaii institute of marine biology or the director's designee;
- (5) The president/executive director of the Portlock Community Association or the president/executive director's designee;
- (6) (~~The president/executive director of the Aina Haina Community Association or the president/executive director's designee~~) **The president of the Maunalua Hawaiian Civic Club or the president's designee;**
- (7) The president/executive director or the president/executive director's designee of the Maunalua Fishpond Heritage Center;
- (8) The president/executive director or the president/executive director's designee of the Livable Hawaii Kai Hui;
- (9) (~~The president/executive director or the president/executive director's designee of the Fishermen's Hui~~) **The Chairperson/designee of the Hawaii Kai Neighborhood Board;**
- (10) (~~The president/executive director or the president/executive director's designee of HULL~~) **The Chairperson or designee of the Kuliouou-Kalani Iki Neighborhood Board;**
- (11) The president/executive director or the president/executive director's designee of Hui Nalu;
- (12) The president/executive director or the president/executive director's designee of Malama Maunalua;
- (13) **A representative from the Office of Hawaiian Affairs; and,**
- (14) **A Native Hawaiian cultural practitioner of the Maunalua Ahupua'a.**

We believe this measure is greatly needed and humbly ask that our recommendations be considered.

Thank you for the opportunity to offer testimony and we ask that this committee pass this measure.



Honu Watersports, LLC

Billing and Corporate Mailing: PO Box 30108 Honolulu HI 96820
Physical: (no US mail): 435 Ulrich Way, Schofield Barracks HI 96857
Physical: 377 Keahole Str Ste E101 Honolulu HI 96825
info@islanddivershawaii.com
oahuscubadiving.com
808.423.8222

Dear Legislators,

I oppose the creation of this task force.

Firstly, the state has already invested in a Maunalua Bay advisory committee. I ran for a seat as a diving representative, and I was not elected. However the process was transparent and I support the process already be started.

Secondly, this proposed task force looks to be mostly be formed of special interests groups. The state organizations that are responsible for managing Maunalua Bay are engaged proactively in looking for public input. The creation of a task force composed of special interest groups picked by the authors of the bill seems extremely inappropriate use of tax payer dollars. If the state is going to approve the use of funds for a task force, the state should be deciding on the appropriate composition of task for members – not the authors of a bill with a highly one sided view of the future of Maunalua Bay.

Testimony in opposition.

Sincerely,
Matthew Zimmerman, PhD

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 15, 2016 8:14 AM
To: omhtestimony
Cc: rollerhi@aol.com
Subject: *Submitted testimony for HB2176 on Feb 17, 2016 10:30AM*

HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Robert E Clark	Hawaii Kai Marina Community Association	Oppose	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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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 16, 2016 8:05 AM
To: omhtestimony
Cc: henry.lifeoftheland@gmail.com
Subject: *Submitted testimony for HB2176 on Feb 17, 2016 10:30AM*

HB2176

Submitted on: 2/16/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Henry Curtis	Life of the Land	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 16, 2016 3:41 AM
To: omhtestimony
Cc: shyla.moon@ymail.com
Subject: *Submitted testimony for HB2176 on Feb 17, 2016 10:30AM*

HB2176

Submitted on: 2/16/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Shyla Moon	Hunting Farming Fishing Association	Oppose	No

Comments:

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February 15, 2016

Re. HB2176: Relating to Environmental Protection of Maunalua Bay

Chairs Ing and Lee, Vice Chair Lowen, members of the Committees on Ocean, Marine Resources, and Hawaii Affairs and on Energy and Environmental Protection:

The Hawaii Fishermen's Alliance for Conservation and Tradition, Inc. (HFACT), is **OPPOSED** to HB2176.

HB2176 proposes to establish a Maunalua Bay task force to study and develop recommendations for a Maunalua Bay master plan. The following are germane:

- The Department of Land and Natural Resources (DLNR) has over-arching oversight of Maunalua Bay. The need for a task force outside of DLNR to develop a Maunalua Bay masterplan is not established.
- The composition of the proposed task force nurtures special interest groups, some of which are, at best, loosely established, and results in less than comprehensive representation of all interested stakeholders.
- DLNR processes are in place to monitor and manage the Bay: The Bay is an Ocean Recreation Management Area (ORMA) and DLNR recent establishment of M-RAC (Maunalua Bay Recreation Advisory Committee). M-RAC is a DLNR established group, the scope of M-RAC responsibility is thereby at the discretion of DLNR.
- The proposed task force needs to include a science component, to support any evaluation of the state of the Bay and, going forward, introduce science-based initiatives that provide measurable, comparative data.

Thank you for the opportunity to provide testimony on this measure.

Sincerely, Ronald Tam, HFACT Secretary/Treasurer

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 15, 2016 8:28 PM
To: omhtestimony
Cc: surfboardkado@yahoo.com
Subject: *Submitted testimony for HB2176 on Feb 17, 2016 10:30AM*

HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
robin jones	HK Marina Community Association	Oppose	No

Comments:

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Aloha,

On behalf of Huli, we support SB 3028. Huli is collective of ocean-based individuals who promote environmental stewardship and cultural awareness through our “Maunalua Junior Konohiki Program” based out of Paiko Wildlife Sanctuary within Maunalua Bay. The program brings students from the surrounding public schools to participate in outdoor educational field days at Paiko Wildlife Sanctuary. The aim is to connect local students to this precious natural resource within their own backyard in hopes of educating them about how to enjoy and take care of our sacred natural resources like Maunalua Bay for future generations.

Being waterman who have been out in Maunalua bay for over two decades week in and week out, we are very aware of the many challenges that Maunalua Bay now faces. Working with the next generation of Maunalua residents has only given us more of a desire to see positive and lasting change happen now so that Maunalua Bay can be a healthier and better managed stretch of ocean in the years to come. While there are no simple solutions, we do believe that the community is in a dire need for a space where the different stakeholders of Maunalua Bay can come together to critically and constructively work towards solutions to help better the health and human use of Maunalua Bay for the future. It is our understanding that the overall intention of the task force is to do just that, and thus why we support SB 3028.

The past is the past. Our organization points the finger at no one for the problems that have evolved over time to degrade Maunalua Bay. We are 100% focused on coming up with solutions and working with the various stakeholders to achieve meaningful impact in the present. We are not saying that we have all the answers, but we believe that some type of formal process needs to be established to convene the stakeholders of Maunalua Bay to develop a logical, practical, and strategic plan that incorporates science, indigenous wisdom, and community input to address the current issues Maunalua Bay faces. After working with several of the groups who have come together to put forth this initiative, we agree that establishing a task force is a positive step in the right direction for better management of Maunalua Bay.

Mahalo for your time.

Huli
Austin Kino & Jesse Yonover
www.hulithemovement.com

Testimony in Opposition to H.B. No. 2176

**by James H. Proctor, Jr.
309 Opihikao Place
Honolulu, HI 96825**

I oppose H.B. No. 2176.

I have been a resident of Hawaii Kai for over 22 years, since September 1993. I am a member of the board of directors of the Kuapa Isle Association of Apartment Owners and represent Kuapa Isle on the board of directors of the Hawaii Kai Marina Community Association. I am an avid conservationist and financially support over a dozen conservation organizations, including the American Rivers, the Chesapeake Bay Foundation, Earthjustice, Environmental Defense Fund, Friends of the Earth, Greater Yellowstone Coalition, Natural Resources Defense Council, Nature Conservancy, Waterkeeper Alliance, Wilderness Society, and Yosemite Conservancy.

However, I oppose H.B. No. 2176 because it circumvents a process already established for regulating commercial and non-commercial water activities on Maunalua Bay (the Department of Land and Natural Resources Maunalua Bay Recreation Advisory Committee [M-RAC]), creates a task force of special interest group which does not represent the community, is not (as claimed by its authors) similar to the Kaneohe Bay Task Force, and harms the Hawaii Kai ocean recreation businesses and tourism.

We all want to “save the bay”, but restricting ocean recreation is not the answer. Maunalua’s degraded condition is the result of our concreting over the watershed emptying into Maunalua Bay with roads, houses, condominiums, apartment complexes, shopping centers, and parking lots. Short of ripping up all these man-made features or expending untold millions on controlling run-off and silt catchment basins, we will never restore the bay to its historic clarity. We simply have too many human beings living and working in the watershed. The best we can do is work together to make incremental improvements.

Respectfully request committee members defer indefinitely H.B. 2176.

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 16, 2016 8:09 AM
To: omhtestimony
Cc: rhunter796@aol.com
Subject: Submitted testimony for HB2176 on Feb 17, 2016 10:30AM

HB2176

Submitted on: 2/16/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Richard	Individual	Oppose	Yes

Comments: I do NOT support HB 2176 or SB 3028. I am a member of the Portlock Community Association and have lived in Hawaii Kai for the majority of the past 30 years. Nobody from the Portlock Community Association approached me about supporting this bill, and I have not heard from other members on the issue either. I believe this bill and any support that it has from within the Portlock Association results from homeowners preferring that there be no boating activities in front of or near the Portlock beach area. The language of the bill is also clear that enacting it would result in harm to tourism and the local economy. If there are any questions about activities on the bay, they should be answered by the relevant state agencies. The bay is a state resource and a few localized groups should not be the ones to make these important decisions. Thank you, Richard

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Opposition to SB 3028:

Please accept this testimony as opposition for the following reasons:

- 1) The Bill aims to create a Task force with the majority leadership composition of Private Special Interest Groups. These groups have pre-determined special interest opinions and agendas regarding the commercial and recreational use of the bay, and these opinions **do not** represent the interests of the greater community as a whole.
- 2) The Bill claims it is similar to Kaneohe Bay Task Force which should serve as a master plan. However the structure of the task force this bill aims to create does not include Public represented or elected participation. I'd like to re-iterate item #1 above: the Task force suggested by this bill for Maunalua Bay is made of special interest and private groups who are noted to oppose commercial and recreational activity. Kaneohe Bay task force did not include a majority of Private interest groups.
- 3) A task force created by this Bill could create conflict with, derail, or circumvent the efforts of the DNLR M-RAC group. DNLR M-RAC process included nomination and voting that was open to the public. The M-RAC purpose was to have a representation of public input on the DOBAR rules for Maunalua Bay.
- 4) The Bill states "heavy use" of the bay by sport-related groups and commercial ocean recreation entities as an underlying motivation for the Bill and task force itself. These statements are made as "fact", but without noted data support. The statements presume the task force will have a pre-agenda of special interest groups to control the bay's activity.
- 5) The Bill states that DNLR itself would have to adopt the plan of the task force to regulate the bay, placing the state government publicly supported trust under the power of a task force made up of private interest groups.

Thank you.

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 16, 2016 7:21 AM
To: omhtestimony
Cc: lauriekimura@hawaii.rr.com
Subject: Submitted testimony for HB2176 on Feb 17, 2016 10:30AM

HB2176

Submitted on: 2/16/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Laurie Kimura	Individual	Oppose	No

Comments: I oppose a Maunalua Bay task force to study and develop recommendations for a Maunalua Bay Master Plan

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 16, 2016 7:20 AM
To: omhtestimony
Cc: jonikamiya@gmail.com
Subject: Submitted testimony for HB2176 on Feb 17, 2016 10:30AM

HB2176

Submitted on: 2/16/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Joni Kamiya	Individual	Oppose	No

Comments: The necessity of this bill is questionable. Will this turn into a group of self interested parties and is it needed to manage resources? Will it lead to divisiveness in the community?

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 15, 2016 11:29 PM
To: omhtestimony
Cc: hawaiiifishingfanatic@gmail.com
Subject: Submitted testimony for HB2176 on Feb 17, 2016 10:30AM

HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Don Aweau	Individual	Support	No

Comments: In full support of legislation and passage of this bill. Allowing for the establishment of the Maunalua Bay Task Force to address the environmental and ecological challenges affecting the health of Maunalua Bay. The following are factors to consider as such as the Committee reviews this bill: * Population Growth - span of 50 years from over 2,000 people in 1959 people to over 60,000 in 2015 (Hawaii Kai to Kahala). * Channelizing of the natural streams in Maunalua. * Outdated and ineffective management of bay activities, leading to conflict and overuse. * Illegal fishing and lack of enforcement of fishing rules in the bay. * Pollution from unfiltered land sources. * Endangerment to fish and coral population. Mahalo piha.

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February 15, 2016

To: Representative Kaniela Ing, Chair
Representative Nicole E. Lowen, Vice Chair, and
Members of the Committee on Ocean Marine Resources & Hawaiian Affairs

To: Representative Chris Lee, Chair
Representative Nicole E. Lowen, Vice Chair, and
Members of the Committee on Energy & Environmental Protection

RE: HB 2176 Relating to Environmental Protection of Maunalua Bay
Hearing: Wednesday, February 17, 2016, 10:30 a.m., Room 325

Please consider this memorandum in support of HB 2176 Relating to Environmental Protection of Maunalua Bay, which creates a task force comprised of representatives from active community organizations and appropriate state agencies to study and recommend measures to promote the health and viability of the Bay and to resolve conflicts among users of the Bay.

This bill grew directly from a community initiative and evolved through years of discussion about the threats to Maunalua Bay and possible remedial actions.

How are the proposals in HB 2176 different?

The bill is different in other respects from other prior efforts to address problems at Maunalua Bay: for one, the bill does not challenge the right of any group to enjoy, make a living, or seek to establish a sanctuary in or from the Bay. All positions have a right to be heard, a seat at the table; secondly, the bill seeks to establish a means to allow the E. Honolulu community to affect and implement policy, and not simply provide a sounding board; additionally, the bill does not focus on issues per se but seeks to establish a mechanism, a tool, by which issues of concern to all can be addressed in a civil manner; finally, the bill leaves to the task force the job of ascertaining just what issues are common cause to all of the constituent groups.

The intent is that the task force provide the opportunity for persons of divergent positions to participate in a civil dialogue and find worth in compromise for the benefit of the larger public interest. In this sense, the task force may be a blueprint for success in other areas of conflict in the Islands.

What about opposition to the bill?

It is dismaying to consider the amount of misinformation and nay-saying that have presented themselves as opposition to this bill from one group in particular, the Hawaii Kai Marina Association, which declined to join the community initiative for Maunalua Bay and then opined that the initiative is faulty because it does not include all stakeholders. (!) In reality, the community initiative sought to involve all groups in E. Honolulu that have been active in pursuit of measures that would increase the health and viability of the Bay. All were, and continue to be welcome to a seat at the table.

Despite readily available information to the contrary, the Hawaii Kai Marina Association also continues to drag a red herring across consideration of establishment of a task force to address issues of health and viability for Maunalua Bay. That red herring is the Maunalua Bay Recreation Advisory Committee (MRAC), established by Chapter 256-3(b) of Title 13, DLNR Ocean Recreation Management Rules, which pertains solely to issuance of commercial operator permits and not to the wide variety of issues that may come before the task force sought by the bill before the committee:

§13-256-3 Commercial operator permit requirements. (a) All operators of commercial vessels, water craft or water sports equipment shall apply for a commercial operator permit to be issued by the department. The applicant for such permit shall comply with the applicable provisions stated in Hawaii Administrative Rules, and Ocean Waters, Navigable Streams and Beaches, Sections 13-251-1 through 13-251- 20. A valid commercial use permit issued to the owner of a vessel to operate from state harbor or launching ramp facilities shall satisfy the commercial operator permit requirement of this section for the operation of that particular vessel. (b) [The department shall establish and](#)

maintain a Recreation Advisory Committee of not less than three for each recreation management area as defined in this chapter to review and make recommendations for commercial operator permit to be issued by the department as required by this section. The department shall consider the recommendations of the Advisory Committee, but is not bound by the recommendations. Members of the Recreation Advisory Committee shall have not less than three years Unofficial Compilation 256-8 experience in their area of specialty.

The task force proposed by HB 2176 would have the opportunity to address issues far and beyond the issuance of commercial permits, for example, ecological challenges to the health of Maunalua Bay arising from:

- * Effects of Population Growth - span of 50 years from over 2,000 people in 1959 people to over 60,000 in 2015 (Hawaii Kai to Kahala)
- * Channelizing of the natural streams in Maunalua
- * Outdated and ineffective management of bay activities, leading to conflict and overuse
- * Illegal fishing and lack of enforcement of fishing rules in the bay
- * Pollution from unfiltered land sources
- * Endangerment to fish and coral population

And anything else that might come before the task force.

Finally, in being merely advisory, the MRAC does not come near fulfilling the role proposed for the task force.

HB 2176l does not request state funds. This choice is neither naïve nor Pollyanna. Members are prepared to be resourceful, to involve the entire community in meeting its needs. For example, to enlist the assistance of the University of Hawaii to facilitate meetings (as what's been done with other community initiatives), to obtain pro bono legal assistance in making sure of adherence to open meetings provisions and possible legal research, and to bring Hawaiian kupuna and community scientists into the discussions. We believe people will step forward to help when it's a matter of improving the Bay as this is what's been done in the past in Maunalua.

I respectfully request that the committee pass this measure. Thank you for the opportunity to provide testimony in support.

Marie Riley
Aina Haina

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 15, 2016 8:45 PM
To: omhtestimony
Cc: carrs003@hawaii.rr.com
Subject: Submitted testimony for HB2176 on Feb 17, 2016 10:30AM

HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
steve carr	Individual	Oppose	No

Comments: I grew up and live in the Maunalua Bay environs. Special interest groups, with alternative agendas, have no place in the continuing efforts to manage Maunalua Bay. Existing plans and initiatives to preserve the Bay need to play out before more intervention is considered. Yes, the commercial operations have impacted the life of the bay: That is what management is in place to oversee. Keep it simple, transparent, and include those impacted, not groups looking for their own interests. Thanks

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 15, 2016 8:43 PM
To: omhtestimony
Cc: jennifer@jenniferbusto.com
Subject: Submitted testimony for HB2176 on Feb 17, 2016 10:30AM

HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Lee Busto	Individual	Support	No

Comments: I support the establishment of the Maunalua Bay Task Force to address ecological challenges to the health of Maunalua Bay arising from one or more of the following: * Population Growth - span of 50 years from over 2,000 people in 1959 people to over 60,000 in 2015 (Hawaii Kai to Kahala) * Channelizing of the natural streams in Maunalua * Outdated and ineffective management of bay activities, leading to conflict and overuse * Illegal fishing and lack of enforcement of fishing rules in the bay * Pollution from unfiltered land sources * Endangerment to fish and coral population

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 15, 2016 8:11 PM
To: omhtestimony
Cc: hfacte@gmail.com
Subject: Submitted testimony for HB2176 on Feb 17, 2016 10:30AM

HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

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

Comments: This bill is predestined to have very negative unintended consequences due to a lack of scientific research component and overlaps the jurisdiction of the DLNR.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 15, 2016 6:54 PM
To: omhtestimony
Cc: marian243@hawaiiantel.net
Subject: Submitted testimony for HB2176 on Feb 17, 2016 10:30AM

HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Marian Grey	Individual	Oppose	No

Comments: Comments: I strongly oppose this proposal. Although it was written with good thoughts on "Saving Maunalua Bay", the undercurrent thinking that activities in the Bay, by over usage of commercial activity is causing destruction. As someone that lives on the Marina for 20 years I have observed what happens to the water after every heavy rain. Debris, road dirt, and other materials flow freely into the Marina and into the ocean. Unless this runoff is stopped, or severely curtailed, the efforts to stop ocean activity won't solve the problem. However if this does move forward, all meetings of the task force should be open to the public, and announced well in advance to allow those interested to observe and comment as this continues. If this is turned over on October 1, 2017, and some master plan is adopted, what sort of enforcement would be required? Currently if something doesn't seem to be done properly, there unfortunately is no one on duty to call. Has any requirement been set to enforce any RULES and REGULATIONS that may be developed? To me the bottom line is why write more laws or regulations, when no enforcement officers are there? Vote NO on HB 2176 I am submitting this as a private citizen, but must disclose that I currently serve on Livable Hawaii Kai Hui Board, the Hawaii Kai Neighborhood Board, and the Hawaii Kai Marina Community Association Board.

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Here are the major reasons I OPPOSE the bill HB 2176:

1. Weighted composition of the proposed task force:

- 8 of the 12 members are from specified *private interest groups*.
- A number of these organizations are loosely structured; i.e., not formally established, have no obvious point of contact. Membership of some is not public or not open to all stakeholders.
- These groups should not be granted a special privilege to dictate policy to the DLNR when there is no indication that they represent the interests of the greater community as a whole (all stakeholders). Some of these groups do good work, but the proposed composition is clearly lopsided.

2. DLNR's M-RAC is already formed to fulfill the same role as the proposed task force.

- DLNR recently established the Maunalua Bay Recreation Advisory Committee (M-RAC). M-RAC members were elected by the public *via a completely transparent nomination and election process*.
- M-RAC already aims to provide similar guidance to the DLNR on the same issues.

3. Reference in the bill to the Kaneohe Bay Task Force from 1990 is misleading as it fails to recognize (i) that the Kaneohe Bay plan established a "Regional Council" made up of *public* entities, rather than *private* interest groups as proposed for the Maunalua Bay "Task Force," and, (ii) Maunalua Bay has had a regulatory framework in place since 1990 to manage the Bay, whereas Kaneohe was largely unregulated prior to 1990

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1. Weighted composition of the proposed task force:

- 8 of the 12 members are from specified *private interest groups*.
- A number of these organizations are loosely structured; i.e., not formally established, have no obvious point of contact. Membership of some is not public or not open to all stakeholders.
- These groups should not be granted a special privilege to dictate policy to the DLNR when there is no indication that they represent the interests of the greater community as a whole (all stakeholders). Some of these groups do good work, but the proposed composition is clearly lopsided.

2. DLNR's M-RAC is already formed to fulfill the same role as the proposed task force.

- DLNR recently established the Maunalua Bay Recreation Advisory Committee (M-RAC). M-RAC members were elected by the public *via a completely transparent nomination and election process*.
- M-RAC already aims to provide similar guidance to the DLNR on the same issues.

3. Reference in the bill to the Kaneohe Bay Task Force from 1990 is misleading as it fails to recognize (i) that the Kaneohe Bay plan established a “Regional Council” made up of *public* entities, rather than *private* interest groups as proposed for the Maunalua Bay “Task Force,” and, (ii) Maunalua Bay has had a regulatory framework in place since 1990 to manage the Bay, whereas Kaneohe was largely unregulated prior to 1990

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 15, 2016 5:02 PM
To: omhtestimony
Cc: hauoli2u@hawaii.rr.com
Subject: *Submitted testimony for HB2176 on Feb 17, 2016 10:30AM*

HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Cheryl Lippman	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 15, 2016 5:01 PM
To: omhtestimony
Cc: jeanie.evans544@gmail.com
Subject: Submitted testimony for HB2176 on Feb 17, 2016 10:30AM

HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jeanie Evans	Individual	Oppose	No

Comments: Opposed to the formation of this committee on many levels however as proposed is not representative of those using the bay and mostly made up of private interest opposing use.

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February 17, 2016

Representative Kaniela Ing – Chair

Representative Nicole E. Lowen – Vice Chair

Representative Chris Lee - Chair

Representative Nicole E. Lowen
- Vice Chair

Re: Testimony in Opposition to HB 2176

Dear Representatives:

I submit this testimony in opposition to HB 2176.

This bill is redundant with regards to regulatory agencies already in place and is also based on inaccurate information.

First of all, the DL&NR is currently working on the M-RAC program which has the same purpose as this bill. Secondly, this bill states “ demands on the bay have increased many fold, due in part to intensive commercial use of the bay and its appeal to tourists”. This is factually incorrect. Several years ago the DL&NR put an ORMA permitting system in place. Since its inception, the ORMA permits in Maunalua Bay have steadily decreased if not gone away totally. Initially there were 4 Thrill Craft permits, now there are 2. There was a towing permit, that one is gone. There was also some high speed boat permits which are also gone. These particular permits are heavily regulated and limited on operating days and times, they are also required to pay 3% of their gross to the DL&NR. Some of these regulations were put in place to prevent user conflicts, which has been successful. Commercial, special interest and private users have co-existed in this bay for several years without incident.

I have been unable to find any useful purpose for this bill. Please DO NOT pass this bill.

Thank you,

Courtney Krantz

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 15, 2016 12:20 PM
To: omhtestimony
Cc: kelfey@yahoo.com
Subject: *Submitted testimony for HB2176 on Feb 17, 2016 10:30AM*

HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
kelly fey	Individual	Support	No

Comments:

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February 16, 2016

To:

Representative Kaniela Ing, Chair - Committee on Ocean, Marine Resources, and Hawaiian Affairs
Representative Chris Lee, Chair - Committee on Energy and Environmental Protection

RE: Support for HB 2176 Relating to Environmental Protection of Maunalua Bay

I am writing in support of HB 2176 Relating to Environmental Protection of Maunalua Bay, which creates a task force comprised of representatives from active community organizations and appropriate state agencies to develop a master plan for users of Maunalua Bay. A fresh perspective is needed on the Bay and its recreational, subsistence, and commercial uses and the organizations proposed in HB2176 comprising the task force are a perfect group to start to develop a master plan for the Bay.

The DLNR recently formed the Maunalua Recreational Advisory Committee whose sole purpose is to provide advice to DLNR on permits for the Bay. Consisting of six members, the MRAC is composed largely of representatives that have narrow commercial and/or recreational interests in the Bay and does not include anyone with cultural, ecological, subsistence knowledge or expertise. Again, the community organizations named in HB2176 are a much better fit to provide more holistic planning expertise and perspective, and provide sound advice to decision makers on the future of the Bay.

I have spent most of my life living near Maunalua and have grown to know the Bay through surfing, canoe paddling, sailing and diving. I have had the privilege of establishing relationships with many people that are part of the community organizations comprising the task force in HB2176. These people and organizations truly care about the future of the Bay and many of them have decades of experience observing different types of users, their conflicts, daily challenges and different perspectives on the future of Maunalua. Along with the state agency representatives included in HB2176, they would provide a balanced, inclusive perspective on the current state of the Bay and are more than qualified to provide advice on its future.

I respectfully request that these committees pass this measure.

Mahalo for the opportunity to provide testimony in support of HB2176.

Regards,
Hoku Johnson
Kalama Valley, Hawai'i

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 15, 2016 4:44 PM
To: omhtestimony
Cc: dipilato@gmail.com
Subject: Submitted testimony for HB2176 on Feb 17, 2016 10:30AM

HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
David DiPilato	Individual	Oppose	No

Comments: It was so disappointing to hear about this bill! I feel like we just went through this entire exercise with NOAA and now we have to deal with it yet again? If this was proposing a balanced approach I would consider it. But we are again faced with more PRIVATE INTEREST GROUPS and not the true representation of those of us that USE THE BAY! If there was awareness about this in the community, there would be even more opposition than there was when we fought the last time. Please kill this bill!

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Opposition to HB 2176:

I OPPOSE for the following reasons:

- 1) Proposed Membership is unbalanced, representing private interest groups that are not open to public, and do not represent the community at large.
- 2) DLNR's M-RAC is already formed to do the same thing as the proposed task force. DLNR recently established the Maunalua Bay Recreation Advisory Committee (M-RAC). M-RAC members were elected by the public via a completely transparent nomination and election process. M-RAC already aims to provide similar guidance to the DLNR on the same issues.
- 3) The statements about “heavy use” of the bay by sport-related groups and commercial ocean recreation entities as motivation for the Bill and task force itself, suggest that the task force already has a pre-agenda focused on special interest desires to control the bay’s activity.
- 4) Reference to the Kaneohe Bay Task Force fails to recognize that Kaneohe Bay task force was comprised of truly *public* representation, rather than *private* interest groups proposed for the Maunalua Bay.
- 5) Maunalua Bay has had a regulatory framework in place since 1990 to manage the Bay, whereas Kaneohe was largely unregulated prior to 1990.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 15, 2016 12:01 PM
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Cc: joey@h2osportshawaii.com
Subject: *Submitted testimony for HB2176 on Feb 17, 2016 10:30AM*

HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Joey Reposa	Individual	Oppose	No

Comments:

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Testimony Submission regarding HB2176

February 15, 2016

Like all Hawai'i bays, I agree that Maunalua Bay is a treasure and that it should be preserved and protected. However, where is the evidence that it is a "threatened" resource? This appears to be one of those "if it ain't broke, don't fix it" situations.

I have lived in Hawaii Kai for over 30 years, most of that, on properties on the water. My activities have included paddling, scuba diving and sailing. I disagree that the bay is heavily used. There are only a handful of commercial activities operating in the bay. The fact is that the population growth in East Honolulu has been small, amounting to only [2500 in the last 15 years](#)! Most all the traffic is boats transiting in and out of the marina to the open ocean.

The land use of watersheds is a separate issue and should be addressed as such.

Furthermore, in a democratic process *open to the public* DLNR already established the Maunalua Bay Recreation Advisory Committee whose members were already nominated, voted on and selected in July 2015 from adjoining communities. Why try to duplicate a committee doing basically the same thing for DLNR? Why this attempted usurpation by private interests?

Kaneohe Bay is entirely different. I have and still do spend plenty of time there also. That bay is several times larger, is filled with innumerable reefs, and is heavily used by commercial companies.

Richard J Smith
857 Kalalea St
Honolulu, HI 96825
808-754-4793

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 15, 2016 11:46 AM
To: omhtestimony
Cc: chris@h2osportshawaii.com
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HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Chris Ramirez	Individual	Oppose	Yes

Comments: Strongly oppose this legislation. Please do not pass.

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HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Wesley Ogata	Individual	Oppose	Yes

Comments:

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HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Joe Yu	Individual	Oppose	No

Comments:

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HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Dean Nishimoto	Individual	Oppose	Yes

Comments:

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Cc: jessica@h2osportshawaii.com
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HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jessica Krantz	Individual	Oppose	No

Comments:

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HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Tristan Alexander	Individual	Oppose	No

Comments:

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Cc: emi@h2osportshawaii.com
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HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Emi Skelton	Individual	Oppose	No

Comments:

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HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Duy Nguyen	Individual	Oppose	No

Comments:

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Cc: sean@h2osportshawaii.com
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HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Sean Neal	Individual	Oppose	Yes

Comments: This legislation is not set up to heal Maunalua Bay. It is designed to further divide the community. It is made up of groups that have a clear agenda to remove DL&NR from its jurisdictional responsibility and eliminate commercial activity.

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Cc: ogee@h2osportshawaii.com
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HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Augustus Santos	Individual	Oppose	Yes

Comments: The community was not engaged in this legislation. They only approached special interest groups that are not representative of the community. Please do not pass.

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Cc: mayumi@h2osportshawaii.com
Subject: *Submitted testimony for HB2176 on Feb 17, 2016 10:30AM*

HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Mayumi Moylan	Individual	Oppose	No

Comments:

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HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Tsukasa Morishima	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
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To: omhtestimony
Cc: kyoko@h2osportshawaii.com
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HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Kyoko Morishima	Individual	Oppose	Yes

Comments:

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HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Joanne Moncrief	Individual	Oppose	No

Comments:

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I OPPOSE to HB 2176.

Please accept my testimony in opposition.

- 1) Proposed Membership of the task force is lopsided and unbalanced due to private interest groups that are not open to public, and not reflecting the opinions and beliefs of the community at large.

- 2) Conflict with DLNR's M-RAC which was just formed to provide guidance and planning recommendations for the best interest of the bay. M-RAC members were elected by the public via a completely transparent nomination and election process. M-RAC already

- 3) Reference to the Kaneohe Bay Task Force doesn't acknowledge that that Kaneohe Bay task force was made up of truly public representation, rather than private interest groups proposed for the Maunalua Bay.

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To: omhtestimony
Cc: jackie@h2osportshawaii.com
Subject: *Submitted testimony for HB2176 on Feb 17, 2016 10:30AM*

HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jackie Midwin	Individual	Oppose	No

Comments:

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Sent: Monday, February 15, 2016 11:22 AM
To: omhtestimony
Cc: jung@h2osportshawaii.com
Subject: *Submitted testimony for HB2176 on Feb 17, 2016 10:30AM*

HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jung Kwon	Individual	Oppose	No

Comments:

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To: omhtestimony
Cc: jourdan@h2osportshawaii.com
Subject: Submitted testimony for HB2176 on Feb 17, 2016 10:30AM

HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jourdan Krantz	Individual	Oppose	Yes

Comments: I am in full opposition of this poorly written legislation. A task force made up of private interest groups does not represent our community. These people have an agenda to remove commercial interests and believe DL&NR is responsible for the problems in the bay. Science says otherwise. Please do not support this bill.

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Sent: Monday, February 15, 2016 11:15 AM
To: omhtestimony
Cc: dylanarm@hawaii.edu
Subject: *Submitted testimony for HB2176 on Feb 17, 2016 10:30AM*

HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Dylan Armstrong	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
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To: omhtestimony
Cc: dylan@h2osportshawaii.com
Subject: *Submitted testimony for HB2176 on Feb 17, 2016 10:30AM*

HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Dylan Krantz	Individual	Oppose	No

Comments:

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Cc: dylan@h2osportshawaii.com
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HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Dylan Krantz	Individual	Oppose	No

Comments:

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To: omhtestimony
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HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Frank A Chun	Individual	Oppose	Yes

Comments: This is total disregard for the public trust mandate. This legislation should not advance. Please do not support.

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HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
John Charleston	Individual	Oppose	No

Comments:

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HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
James Montenero	Individual	Oppose	Yes

Comments: Not in the best interest of our community. Biased with severe misinformation.

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Cc: nick@h2osportshawaii.com
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HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Nick Yuzawa	Individual	Oppose	Yes

Comments:

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HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Scott Ng	Individual	Oppose	No

Comments:

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To: omhtestimony
Cc: mrdeal702@yahoo.com
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HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Brandon Deal	Individual	Oppose	Yes

Comments: This bill is divisive and seeks to promote an agenda that is not supported by our entire community.

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Subject: *Submitted testimony for HB2176 on Feb 17, 2016 10:30AM*

HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Frederick Takahashi	Individual	Oppose	Yes

Comments:

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Cc: mailetakahashi@gmail.com
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HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Maile Takahashi	Individual	Oppose	Yes

Comments: Oppose this legislation that seeks to circumvent the MRAC process and is private interest legislation.

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RE: SB 3028 – Testimony in Opposition to SB3028

Aloha senators thank you for giving me the opportunity to testify before you today!

I am part of the Hawaii Kai community and a stakeholder in the area for 30 years. I found it rather bothersome that I had never heard of this Measure as it focuses on community involvement user conflict and commercial use.

I have owned my business in Hawaii Kai for over 30 years and have seen many changes in the bay and in the Island. This Bill represents of a small part of the community who have a special interest in imposing their will on to the bay and on the community at large. They are not looking to solve issues, these group are looking to control the bay in a dictatorship approach.

The bay is a treasured asset for all ocean users both commercial and private; we are all saddened by the degradation of the bay due to silt, uncontrolled road run off and drainage culverts that run directly into our water.

The bill before you does not aim to address these concerns but rather wants to focus on micromanaging and giving directives that will only further divide our common interest. We should be all be working together unified as one to address the above issues that are the problem and creating real community base projects. This could easily be accomplished by reaching out to the whole community and being transparent.

Henry Kaiser developed Hawaii Kai and there were not adequate measures taken to protect the environmental aspect of the bay.

The activities that are within the bay are not the sources of the derogation as noted from the EIS done from 1988 to 1990 and then reconfirmed by the UH in 2015.

This is a bad bill and should be noted for future reference as to the groups involved in prescribing it.

There is no way to eliminate the reality of politics, but their impact *can* be mitigated. I would encourage a strong message be sent from this legislative committee that this type of overreaching bill will not be tolerated again.

1. Taskforces without clear purpose are more likely to be influenced by those with (hidden agendas.)!
2. If the quality of the individual members is not worthy of the purpose of the task force, they may succumb to peer influence.
3. If information about the task force's work isn't transparent and shared and

if decisions are controlled by the chair or chairs, there will be significant questions as to the integrity of the group's work and, ultimately, the integrity and quality of their recommendations.

Successful task forces set meaningful **Ground Rules and Goals** for how they'll complete their work. These ground rules go beyond platitudes that look good on laminated cards and posters. The first is to include all in the process, and that is not what is happening here!

Task forces that do good work understand their specific place and their community dynamics and set ground rules accordingly.

Thank you
Jeffrey Krantz

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 15, 2016 10:23 AM
To: omhtestimony
Cc: reefour@aol.com
Subject: Submitted testimony for HB2176 on Feb 17, 2016 10:30AM

HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Kathy Takahashi	Individual	Oppose	Yes

Comments: This bill is brought forward by private interest groups and should not be passed. The preamble to the bill lists reasons the legislature should adopt this bill. One of the reasons is "intensive commercial useage". This is not factually correct. Permitted commercial operations use less than 1% of Maunualua Bay. Please do not pass this measure

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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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 15, 2016 10:11 AM
To: omhtestimony
Cc: orrell.frank@gmail.com
Subject: Submitted testimony for HB2176 on Feb 17, 2016 10:30AM

HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Frank Orrell	Individual	Comments Only	No

Comments: I am strongly against a task force that will represent any other interests than the Maunalua Bay community's. The M-RAC already does this. Creating a separate task force would only be redundant.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 15, 2016 10:10 AM
To: omhtestimony
Cc: amori@chaminade.edu
Subject: Submitted testimony for HB2176 on Feb 17, 2016 10:30AM

HB2176

Submitted on: 2/15/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Art Mori	Individual	Support	No

Comments: I feel that there should be adequate protection for our water resources in East Honolulu. Please work toward establishing a task force to address these concerns. Mahalo

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Testimony in Opposition to HB 2176, Relating to Environmental Protection of
Maunalua Bay

February 15, 2016

My name is Judy Sobin and I am here today on behalf of me and my family. We live near Maunalua Bay and go to the bay as often as we can. We enjoy swimming, surfing, fishing and boating as do many families who come to the bay from all parts of the island.

When NOAA tried to turn the bay and many of our islands' waters into federally regulated ecosystems, people from all islands rose up and said "no". In Hawaii Kai, a meeting regarding NOAA's proposal turned out more than 500 men, women and children in vocal opposition.

On the heels of what we all thought was a good sign when NOAA withdrew its proposal, here we are with some of the same private interest groups pushing a takeover, dividing the community once again.

Nearly two years ago, DLNR held a community meeting and asked for volunteers to serve on a committee, M-RAC, Maunalua Bay Recreation Advisory Committee. Through an election representative were selected to represent different interests. M-RAC will meet and solicit public input on rules. HB 2176 is an attempt to circumvent this committee and instead put in place a regulating body of mostly private interest groups.

Maunalua Bay is a treasure for the all who enjoy ocean activities. Of course, we always want it to improve and will always work toward that goal. DLNR does an admirable job enforcing rules and regulations, but could certainly use more personnel. City, State and private sectors can all work together to do more to resolve run-off issues.

I believe this joint committee understands that the protection and the improvement of our waters can best be advanced with full cooperation and participation of all sectors and all interest groups. HB 2176, if enacted, would severely undermine any change for the better.

Please do not let this bill go any further.

Judy Sobin

748 Kalanipuu Street

Honolulu, HI 96825

808-358-8828

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 14, 2016 8:43 PM
To: omhtestimony
Cc: yamaguchd009@hawaii.rr.com
Subject: Submitted testimony for HB2176 on Feb 17, 2016 10:30AM

HB2176

Submitted on: 2/14/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Dennis Yamaguchi	Individual	Oppose	No

Comments: The DLNR should manage the resources of State land, and waters.

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From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 13, 2016 7:30 PM
To: omhtestimony
Cc: mjellings@hawaii.rr.com
Subject: *Submitted testimony for HB2176 on Feb 17, 2016 10:30AM*

HB2176

Submitted on: 2/13/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Carl M Jellings Sr	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 13, 2016 3:10 PM
To: omhtestimony
Cc: duffyboats@hawaii.rr.com
Subject: Submitted testimony for HB2176 on Feb 17, 2016 10:30AM

HB2176

Submitted on: 2/13/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Bob Raben	Individual	Oppose	Yes

Comments: My comments previously mis-stated the Senate Bill that was deferred. It was SB 3028

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Testimony concerning HB 2176

Yesterday, at the hearing for Senate Bill 3028 (which is a carbon copy of HB 2176) the 2 committee chairs agreed to defer the bill indefinitely...for good reason. Why this bill is still being considered is a mystery to me.

It appears that this bill is a vehicle for a number of Private Citizens with personal agendas attempting to gain control of a State of Hawaii and DLNR process that has already been started.

DLNR has already set up an advisory board (M-RAC) to provide input to the State for the preservation of Maunalua Bay.

The bill attempts to use the Kaneohe Bay Task Force as a framework but the KBTF was composed of PUBLIC groups where this bill cites 8 out of 12 private interest groups.

Duplication of effort cannot help when the membership of the groups mentioned in the bill are largely unknown, but what is known of the groups is their consistent opposition to commercial interests, regardless of their size or impact on the bay.

Commercial tourist interests, while not as "attractive" as Hawaiian issues, are the lifeblood of the state.

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 16, 2016 2:22 PM
To: omhtestimony
Cc: matt.htfa@gmail.com
Subject: Submitted testimony for HB2176 on Feb 17, 2016 10:30AM

HB2176

Submitted on: 2/16/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Matthew Ross	Individual	Oppose	Yes

Comments: Please do not pass this bill. It would place management of state waters into the hands of private special interest groups, at the expense of the community of ocean users on Oahu.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 16, 2016 12:45 PM
To: omhtestimony
Cc: rkailianu57@gmail.com
Subject: *Submitted testimony for HB2176 on Feb 17, 2016 10:30AM*

HB2176

Submitted on: 2/16/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Rachel L. Kailianu	Individual	Oppose	Yes

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 16, 2016 10:20 AM
To: omhtestimony
Cc: nmscoles@sbcglobal.net
Subject: Submitted testimony for HB2176 on Feb 17, 2016 10:30AM

HB2176

Submitted on: 2/16/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Natalie Scoles Hansen	Individual	Oppose	No

Comments: I strongly oppose SB 3028 as it is not in the interest of the public and users of Maunalua Bay. Please act in the best interest of the community and vote in opposition to SB 3028. Thank you.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 16, 2016 10:06 AM
To: omhtestimony
Cc: janet@manameans.com
Subject: *Submitted testimony for HB2176 on Feb 17, 2016 10:30AM*

HB2176

Submitted on: 2/16/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Janet Scheffer	Individual	Oppose	Yes

Comments:

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February 16, 2016

To whom it may concern,

I am submitting testimony in opposition to HB2176 due to the lack of clarity, transparency, and fairness shown to the Maunalua Bay Community.

I am a Hawaii Kai Marina resident and homeowner; and also own two commercial, eco-friendly watersports businesses in the marina. My family and friends enjoy using Maunalua Bay everyday. Weather it be fishing, surfing, diving or towing our kids around on the inner tube, Maunalua Bay is our favorite playground. We are our oceans' keeper and it's stewards.

These bills proposed aim at creating a biased, task force that is made up of a handful of special interest groups. These groups do not represent the stakeholders, or the Maunalua Bay Community as a whole. These special interest groups should not be granted the power to debate policy to the DLNR, nor should any other groups be able to do so now, or in the future. In my opinion, many of these groups have opposed both commercial and recreational activity in the bay for decades, and are now trying to pass legislation for their own self-centered agendas.

These bills will divide our community rather than bring us together as a whole. Addressing the current problem at hand, which is the silt drainage and run-off would be the best solution to meet Maunalua Bay's needs. After reading the first, second, and third drafts of this bill, it is obvious that the intent of the task force is to shut down all recreational and commercial use of the bay. The statements provided in these bills are all opinions, and lack credentials and valid scientific research.

The livelihood of my family, friends, and over 25 workers would be in great jeopardy if these bills are passed. These bills would directly affect all three major shopping centers, including businesses and properties surrounding them. The Hawaii Kai Community and the Island of Oahu's tourism would suffer greatly.

The DLNR and DOBAR have already set up a Maunalua Bay Recreation Advisory Committee (M-RAC) pursuant to HAR 13-256-3 to address Maunalua Bay. The senate bill SB 3028 is duplicative in nature and is seeking to circumvent M-RAC, which was formed by a democratic process and is designed to be open to the public and allow for community input. The purpose of M-RAC is to develop and carry out a vision for the future of Maunalua Bay that the community as a whole, can enjoy.

I am asking you to please let M-RAC and the community decide the future of Maunalua Bay, not a handful of special interest groups who do not represent the community as a whole. Thank you very much for your time and consideration.

Sam Montgomery
Commercial Operator and Business Owner
Resident of the Hawaii Kai Marina

Opposition to HB 2176:

Please accept this testimony in opposition for the following reasons:

A task force created by this Bill could create conflict with, derail, or circumvent the efforts of the DNLR M-RAC group. DNLR M-RAC process included nomination and voting that was open to the public. The M-RAC purpose was to have a representation of public input on the DOBAR rules for Maunulua Bay.

The Bill states "heavy use" of the bay by sport-related groups and commercial ocean recreation entities as an underlying motivation for the Bill and task force itself. These statements are made as "fact", but without noted data support. The statements presume the task force will have a pre-agenda of limiting or restricting the bay's use by sport-related groups.

The Bill aims to create a Task force with the majority leadership composition of Private Special Interest Groups. These groups have pre-determined special interest opinions and agendas regarding the commercial and recreational use of the bay, and these opinions **do not** represent the interests of the greater community as a whole.

The Bill claims it is similar to Kaneohe Bay Task Force which should serve as a master plan. However, the structure of the task force this bill aims to create does not include Public represented or elected participation. I'd like to re-iterate item #1 above: the Task force suggested by this bill for Maunalua Bay is made of special interest and private groups who are noted to oppose commercial and recreational activity. Kaneohe Bay task force did not include a majority of Private interest groups.

The Bill states that DNLR itself would have to adopt the plan of the task force to regulate the bay, placing the state government publicly supported trust under the power of a task force made up of private interest groups.

Regards,

Andrew Hedges

Opposition to HB 2176:

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The Bill states that DNLR itself would have to adopt the plan of the task force to regulate the bay, placing the state government publicly supported trust under the power of a task force made up of private interest groups.

Regards,

Andrew Hedges

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 16, 2016 9:52 AM
To: omhtestimony
Cc: lindas@hawaii.rr.com
Subject: Submitted testimony for HB2176 on Feb 17, 2016 10:30AM

HB2176

Submitted on: 2/16/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
linda spadaro	Individual	Oppose	No

Comments: Oppose HB2176. I want there to be a committee of private citizens to evaluate use of the bay, not special interest groups

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HB 2176

Relating to Environmental Protection of Maunalua Bay

OMH/EEP

Wednesday, 02-17-16 10:30AM

House conference room 325.

Jacquelin N. Miller, PhD

HB 2176 recognizes the importance of Maunalua Bay as a treasured resource and seeks to establish management plans to insure long term protection of its environment. The bill identifies many of the recognized users of Maunalua Bay and suggests that the Bay is negatively impacted by these users and that legislative action is needed to develop appropriate management plans for the Bay.

The importance of Maunalua Bay and its environment to the people of Hawaii goes without question. However the task force approach provided by HB 2176 would not only duplicate existing management advisory committees for the Bay, the Maunalua Bay Recreation Advisory Committee (M-RAC), but would circumvent the designated coastal management expertise and responsibilities of the Department of Land and Natural Resources (DLNR).

HB 2176 would require the task force to complete a Master Plan for the Bay to include an assessment of the environmental and ecological impacts of activities on the Bay. How this could be accomplished in the time frame indicated, October 1, 2017, is unclear. Given the size of the Bay, its physical characteristics, and the multitude of habitats and conditions involved, preparing an environmental assessment is not likely to be possible in that length of time. Furthermore, the amount and source of funds that would be required to carry out the assessment along with the other task force responsibilities is not indicated.

In summary, while the intentions of HB 2176 are admirable, existing expertise within the Department of Land and Natural Resources can provide the needed management expertise to accomplish the intent of HB 2176 without the duplication of effort and expense. Therefore, I urge that HB 2176 be deferred.

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 16, 2016 9:20 AM
To: omhtestimony
Cc: Dylan.137@hotmail.com
Subject: Submitted testimony for HB2176 on Feb 17, 2016 10:30AM

HB2176

Submitted on: 2/16/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Dylan Winder	Individual	Oppose	No

Comments: I oppose this bill and suggest that we use the regulatory agencies that are already in place rather than duplicate efforts. Thank you

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Sent: Tuesday, February 16, 2016 9:17 AM
To: omhtestimony
Cc: Mail4Tay@gmail.com
Subject: Submitted testimony for HB2176 on Feb 17, 2016 10:30AM

HB2176

Submitted on: 2/16/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Taylor Perri	Individual	Oppose	No

Comments: I oppose this bill. Please support the existing efforts that are already in place. Thank you

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 16, 2016 9:16 AM
To: omhtestimony
Cc: RJPPerri@gmail.com
Subject: Submitted testimony for HB2176 on Feb 17, 2016 10:30AM

HB2176

Submitted on: 2/16/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
RJ Perri	Individual	Oppose	No

Comments: I oppose this bill! It is duplicative to a system that already exists. It is also inaccurate. Please don't pass this bill.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 16, 2016 9:16 AM
To: omhtestimony
Cc: rydeaway@yahoo.com
Subject: Submitted testimony for HB2176 on Feb 17, 2016 10:30AM

HB2176

Submitted on: 2/16/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
John Hansen	Individual	Oppose	No

Comments: As a member of the community, I strongly oppose this measure. I am a user of the bay as well as environmentally concerned. I want a healthy bay which can be enjoyed for generations. I believe this proposal is NOT the correct approach. This is a piece of legislation created by special interest groups which DO NOT represent the users as a whole. The state has taken great strides to protect the bay and has shown considerable progress to that end. I believe the bay is in good hands with the state, and it should be left that way. Thank you for opposing this bill on behalf of voters like myself.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 16, 2016 9:14 AM
To: omhtestimony
Cc: TomForbush@me.com
Subject: Submitted testimony for HB2176 on Feb 17, 2016 10:30AM

HB2176

Submitted on: 2/16/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Tom Forbush	Individual	Oppose	No

Comments: I strongly oppose this bill.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 16, 2016 9:11 AM
To: omhtestimony
Cc: Jessicaakrantz@gmail.com
Subject: Submitted testimony for HB2176 on Feb 17, 2016 10:30AM

HB2176

Submitted on: 2/16/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jessica A Krantz	Individual	Oppose	No

Comments: There are already systems in place to regulate Maunalua Bay. Please don't pass this bill.

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OPPOSE

HB 2176

- Private interest group membership is proposed – making the composition and interest terribly unbalanced and lopsided.
- These private interest groups may have a pre-agenda (noted by the statements made in the bill about heavy use of the bay by commercial activities.). This statement is NOT supported by any factual data.
- The private interest groups DO NOT REFLECT the opinions and beliefs of the public community at large. Each group may do great work, but the public opinion is not represented by these groups, nor should they be given control over the guidance of the bay.
- DLNR's M-RAC was formed to provide guidance and planning recommendations for the best interest of the bay. M-RAC members were elected by the public via a completely transparent nomination and election process. M-RAC already.
- Please note that Kaneohe Bay Task Force was made up of public representation such as M-RAC represents, and not the private interest groups proposed in this Bill.

As a 23 year resident of Hawaii Kai, I speak in opposition to SB 3028/HB/2176.

Why would the legislature need to require *another* state agency to spend time and money to create *another* entity to compete with the democratically elected entity, the Maunalua Bay Recreation Advisory Committee (M-RAC), which DLNR has already established?

Those who seek the creation of this task force obviously do not like the other entity, i.e. M-RAC, and seek to have the legislature allow the proponents of this bill to basically overrule any conclusions or directives from the already established democratically elected M-RAC. They seek this by mandating in this bill the acceptance of any product of this task force by various state agencies. Note this task force is heavily weighted 8 to 4, in favor of these special private interests, whose real leadership, membership, length of existence and true intent is unknown to this committee to the extent justifying the legislature's grant of authority to them. From my long term involvement with various Hawaii Kai community groups and their leaders, I have serious doubts about the true nature of some of these groups and the claimed inclusion of others as actually supporting this legislation.

The bill claims that this is similar to the K-Bay Task Force. This is inaccurate. The K-Bay Task Force did not consist of unknown so-called leaders of special private interests, but members from public entities, including the state, UH and the U. S. Marine Corp

The bill claims the commercial use of the Bay and its "*appeal to tourists*" is having such an effect that these 8 out of 12 special private interests need the authority to create a "master plan" which "*shall* be used by all appropriate state agencies in the adoption and implementation of policies, rules and regulations" relating to the Bay. There is insufficient scientific evidence to support the claim that tourists or pleasure craft are harming the Bay. On the contrary, there is more than sufficient evidence to support the fact that the infrastructure created over the years for the extensive housing development has proven inadequate and outdated to prevent the run-off from the mountains and surrounding land into the Bay. There is no reason to believe that M-RAC and DLNR is incapable of addressing the needs of the Bay and the entire community. The proponents of this bill have not made their case.

I ask this committee to decline to pass this bill.

Thank you for allowing me to testify.

Adrienne King
1163 Ka'eleku St. 96825

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 16, 2016 3:01 PM
To: omhtestimony
Cc: dustinkg@gmail.com
Subject: Submitted testimony for HB2176 on Feb 17, 2016 10:30AM

HB2176

Submitted on: 2/16/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Dustin	Individual	Oppose	No

Comments: We do NOT need special interest groups telling the DLNR how to do their job. This proposed group is not even a balanced panel and we don't want them forcing their agenda on our community. Please do not let this bill go any further.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 16, 2016 4:43 PM
To: omhtestimony
Cc: gprinslow@hotmail.com
Subject: *Submitted testimony for HB2176 on Feb 17, 2016 10:30AM*



HB2176

Submitted on: 2/16/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
garrett prinslow	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 16, 2016 5:08 PM
To: omhtestimony
Cc: brooks@cci-hawaii.com
Subject: Submitted testimony for HB2176 on Feb 17, 2016 10:30AM

HB2176

Submitted on: 2/16/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Brooks Borrer	Individual	Oppose	No

Comments: I do not believe that a study to determine if further regulation of the Maunalua Bay is necessary. The bay has sandy and silty bottoms and the reef suffered predominately from the run off that occurs from the hillside developments that have been built. Rather than to do a study on how to further regulate water activities of those who have purchased homes on the water to enjoy various water sports activities, we should have a task force take a look at how to better regulate the land based activities that spill into the ocean. Namely stric regucations on pesticides used on properties that wash into the sea, illegal dumping along the side of the marina that caused debris and other materials to end up in the ocean, retention of dirt and hillsides so that the land is not washed off the hills and flatland into the water after every rain. After every rain the marina gets brown in color and it ends up in the ocean (via run-off or drains. It is a crazy idea to think that potentially regulating fishing, diving, anchoring of vessels, or making the bay a sanctuary for whales that pass thru once a year will somehow revive the bay. First things fist, if there is a study to be done to develop recommendations it should not be for a Maunalua Bay master plan it should be for sustainable conservation actions to perpetuate healthy land uses to stop dumping trash and poison into our marina and ocean.

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LATE

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 16, 2016 5:20 PM
To: omhtestimony
Cc: wfujihara@aol.com
Subject: Submitted testimony for HB2176 on Feb 17, 2016 10:30AM

HB2176

Submitted on: 2/16/2016
Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Wayne Fujihara	Individual	Support	No

Comments: This bill is what we need to protect the bay for our future generation. I am 67 years old and used the bay all my life to surf, fish, and to have my kids explore the reef and it's marine life. I have also seen people and companies abuse the bay and use it commercially for profit without giving back or taking care of the bay and we have the chance to do so, pass this bill.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 16, 2016 5:16 PM
To: omhtestimony
Cc: HINANOREY@GMAIL.COM
Subject: Submitted testimony for HB2176 on Feb 17, 2016 10:30AM

HB2176

Submitted on: 2/16/2016
Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Rey	Individual	Support	No

Comments: I strongly support creation of a community task force to study and develop a comprehensive management plan which will include all stakeholders and endeavor to improve all ecosystem functions of Maunalua Bay.

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'ĀINA HAINA COMMUNITY ASSOCIATION

c/o 'Āina Haina Library, 5246 Kalaniana'ole Highway, Honolulu, HI 96821
ainahainaassoc@gmail.com; www.ainahaina.org

Jeanne Ohta, President • Melia Lane-Kanahele, Vice-President • Art Mori, Treasurer • Kathy Takemoto, Secretary • Directors At Large: Jeff Carlson, Wayson Chow, Patricia Moore, Marie Riley

1

February 17, 2016

LATE

To: Representative Kaniela Ing, Chair
Representative Nicole Lowen, Vice Chair and
Members of the Committee on Ocean, Marine Resources & Hawaiian Affairs

To: Representative Chris Lee, Chair
Representative Nicole Lowen, Vice Chair and
Members of the Committee on Energy and Environmental Protection

From: Jeanne Y. Ohta, President

RE: HB 2176 Relating to Environmental Protection of Maunalua Bay
Hearing: Wednesday, February 17, 2016, 10:30 a.m., Room 325

The Board of Directors of the 'Āina Haina Community Association write in support of HB 2176 Relating to Environmental Protection of Maunalua Bay, which creates a task force comprised of representatives from active community organizations from the surrounds of Maunalua Bay and appropriate state agencies to study and recommend measures to promote the health and viability of the Bay and to resolve conflicts among users of the Bay.

This proposal is the only effort currently being pursued.¹ It is a joint effort of community-based organizations in East Oahu who see the need for community input over the use and protection of Maunalua Bay. This proposal is based on the development of the Kaneohe Bay Master Plan. The current approach and management has been inadequate in reducing user conflict and preventing degradation of the bay.

There is a precedent for community involvement in protecting its ocean resources. The Haena Community Based Subsistence Fishing Area was signed into law in 2014 with "strong recognition that government cannot do it alone."

The Department of Land and Natural Resources (DLNR) claims that this taskforce is unnecessary because of the newly formed Maunalua Recreational Advisory Committee (MRAC). However, the MRAC is comprised of only six members. Five members represent various ocean activities in the bay, one represents residents. DLNR asserts that the MRAC will recommend rules for ocean recreation in the bay and will determine short, mid, and long-term goals for management of the bay. This framework falls short of what is needed and cannot come up with a comprehensive plan for the bay simply because key stakeholders are not included. There is more to a plan for the bay than merely regulating ocean activities.

¹ Imua Maunalua was "paused" by Malama Maunalua on December 4, 2015.

According to Hawaii Administrative Rules, the MRAC is tasked: “to review and make recommendations for commercial use permits or catamaran registration certificate to be issued by the department.” This framework was never intended to draft a management or comprehensive plan for the bay.

Ten watersheds in East Oahu flow into Maunalua Bay. Communities from Waialae Nui to Portlock are stakeholders because their streams flow into Maunalua Bay and affect the health of the bay. Activities along those streams affect the bay.

The Maunalua Bay Region covers approximately 22 square miles of land and seven miles of shoreline, DLNR’s MRAC proposal completely disregards the land, whose urbanization affects the bay and disregards the many streams and fresh water sources that feed the bay.

This bill before the committee grew directly from a community initiative and evolved through years of discussion about the threats to Maunalua Bay and possible remedial actions. The 1988 Aotani Study of the Bay and the competing uses resulted in no significant improvements.

The intent is that the task force provides the opportunity for persons who have different perspectives about the bay to come together and draft a master plan for a healthy bay for all to enjoy.

We respectfully request that the committee pass this measure. Thank you for the opportunity to provide testimony in support.

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 16, 2016 9:28 PM
To: omhtestimony
Cc: bcsc@hawaii.rr.com
Subject: *Submitted testimony for HB2176 on Feb 17, 2016 10:30AM*

HB2176

Submitted on: 2/16/2016
Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
William K.Chang	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 16, 2016 9:08 PM
To: omhtestimony
Cc: jeannine@hawaii.rr.com
Subject: Submitted testimony for HB2176 on Feb 17, 2016 10:30AM

HB2176

Submitted on: 2/16/2016
Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jeannine Johnson	Individual	Support	No

Comments: My father was a lawa'i from Miloli'i and fished the waters in Maunalua since moving to the area in 1954. I remember going with him and marveling at all the fish, limu 'ele'ele and he'e. We always cleaned the beach and never took more than our 'ohana needed to eat or to share with our immediate neighbors. Because there has been no management of the Bay, its overuse by commercial businesses and illegal fishing, there are no more fish and limu. Please help the residents return the Bay to a thriving area again by establishing a Maunalua Bay Task Force. Mahalo.

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HEARING: Wednesday, February 17, 2016

LATE

Re: **In support of HB 2176**

Dear Committee Chairs, Vice Chairs and Members,

Environmental Caucus of the Democratic Party of Hawaii is in support of **HB 2176**

Comments:

The community groups that have stepped forward to request that this task force be implemented have long standing involvement in the Maunalua Community. Their desire to participate in the process of studying and developing an action plan for better management of Maunalua Bay prove that there is a desire in the community to participate in the stewardship of marine resources. Ecological restoration of Maunalua Bay and its resources is beyond the ability/scope of the DLNR Maunalua Recreational Advisory Committee (MRAC) alone. A comprehensive action plan that will consider all stakeholders and ecosystem services is needed. Therefore, on behalf of the Environmental Caucus of the Democratic Party, we urge you to vote in favor of establishment of a task force.

Sincerely,

Juanita Kawamoto
Chair

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 16, 2016 8:21 PM
To: omhtestimony
Cc: mprinslow@hawaiiantel.net
Subject: *Submitted testimony for HB2176 on Feb 17, 2016 10:30AM*

LATE

HB2176

Submitted on: 2/16/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Prinslow	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 16, 2016 7:19 PM
To: omhtestimony
Cc: makani.christensen@gmail.com
Subject: Submitted testimony for HB2176 on Feb 17, 2016 10:30AM

LATE

HB2176

Submitted on: 2/16/2016

Testimony for OMH/EEP on Feb 17, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
makani	hunting farming and fishing association	Oppose	No

Comments: We strongly oppose any bill that gives control of our resources to special interest groups. This type of bill has the potential to have negative impact on fishing, which effect the capability to feed Hawaii. Furthermore this legislation allows for only a small portion of the community to make rules for the rest of the population. These are state waters that need to be managed by the state not third party entities. This bill also has the potential to create conflict between the community. As you will see from testimony today.

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