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SUZANNE D. CASE
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**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the House Committee on
JUDICIARY**

**Friday, January 22, 2016
2:00 PM
State Capitol, Conference Room 325**

**In consideration of
HOUSE BILL 629**

RELATING TO THE PAPAHAANAUMOKUAKEA MARINE NATIONAL MONUMENT

House Bill 629 proposes to establish the Papahānaumokuākea Marine National Monument (PMNM) program in HRS. In addition, it establishes criminal and administrative penalties, allows the DLNR to establish a fee schedule for services provided by the program, and allows the established program to solicit and accept grants and donations. The established program provides advice to the Governor and consults with other state agencies regarding PMNM. **The Department of Land and Natural Resources (Department) appreciates the overall concept of this bill as it reflects the State's long term commitment to co-manage the resources of PMNM into perpetuity.**

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

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

The Co Trustees then entered into an agreement which outlined how the agencies would achieve coordinated management for the area. The "Memorandum of Agreement Among the State of Hawaii Department of Land and Natural Resources and the U.S. Department of the Interior U.S. Fish and Wildlife Service and the U.S. Department of Commerce National Oceanic and Atmospheric Administration for Promoting Coordinated Management of the Northwest

Hawaiian Islands Marine National Monument was signed by then Governor, Linda Lingle, on 12-8-06.

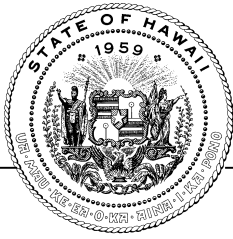
In 2007, the Monument was re-named with its Hawaiian name Papahānaumokuākea, and the following year it was designated as a Particularly Sensitive Sea Area (PSSA) by the Marine Environmental Protection Committee of the International Maritime Organization. In 2010, Papahānaumokuākea was inscribed as a mixed (natural and cultural) World Heritage Site by the delegates to the 34th United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage Convention in Brasilia, Brazil.

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

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

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

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



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DAVID Y. IGE
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LEO R. ASUNCION
DIRECTOR
OFFICE OF PLANNING

Statement of
LEO R. ASUNCION
Director, Office of Planning
before the
HOUSE COMMITTEE ON JUDICIARY
Friday, January 22, 2016
2:00 PM
State Capitol, Conference Room 325

in consideration of
HB 629
RELATING TO THE PAPA HANAUMOKUAKEA MARINE NATIONAL MONUMENT.

Chair Rhoads, Vice Chair San Buenaventura, and Members of the House Committee on Judiciary.

The Office of Planning (OP) supports the intent of this bill, HB 629, which proposes to establish the Papahānaumokuākea Marine National Monument (Monument) program, within the Department of Land and Natural Resources.

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

Thank you for the opportunity to testify on this matter.

Testimony of The Nature Conservancy of Hawai'i
Supporting H.B. 629 Relating to the Papahānaumokuākea
Marine National Monument
House Committee on Judiciary
Friday, January 22, 2015, 2:00PM, Room 325

The Nature Conservancy of Hawai'i is a private non-profit conservation organization dedicated to the preservation of the lands and waters upon which life in these islands depends. The Conservancy has helped to protect nearly 200,000 acres of natural lands in Hawai'i. Today, we actively manage more than 40,000 acres in 14 nature preserves on Maui, Hawai'i, Moloka'i, Lāna'i, and Kaua'i. We also work closely with government agencies, private parties and communities on cooperative land and marine management projects.

The Nature Conservancy supports H.B. 629 to formally establish the program and co-manager position in the DLNR to represent the State's interests in the Papahānaumokuākea Marine National Monument.

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

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

The extensive coral reefs found in Papahānaumokuākea are home to over 7,000 marine species, one-quarter of which are found only in the Hawaiian Archipelago. Many of the islands and shallow water environments there are important habitats for rare species like green sea turtles and endangered Hawaiian monk seals. Land areas there also provide nesting habitat for millions of seabirds and a home for four species of bird found nowhere else in the world.

The State of Hawai'i needs an established program and Monument co-manager in DLNR to ensure that the interests of the State and Hawai'i's people are represented in the joint management of these resources with the federal government.

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Subject: Submitted testimony for HB629 on Jan 22, 2016 14:00PM

HB629

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Tracey Kelley	Individual	Support	No

Comments: Aloha, I strongly support Bill 629! It is important PMNM is well taken care of for for our generation and generations to come! Hawaii needs to establish this program to fulfill it's responsibilities and to protect a world treasure.

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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