

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

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CONSERVATION AND RESOURCES ENFORCEMENT
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FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
Leimana DaMate
Executive Director, Aha Moku Advisory Committee

Before the House Committees on
WATER & LAND
And
OCEAN, MARINE RESOURCES, & HAWAIIAN AFFAIRS

Friday, February 6, 2015
11:00 AM
State Capitol, Conference Room 325

In **SUPPORT** of
House Bill 629
Relating to the Papahānaumokuākea Marine National Monument

HB 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. It provides advice to the Governor and other state agencies regarding PMNM. **The Aha Moku supports this bill as it reflects the State's long term commitment to co-manage the resources of PMNM into perpetuity.**

The Aha Moku encompasses the eight main Hawaiian Islands. It supports the traditional Native Hawaiian practices of the islands which includes fishing and gathering in the PMNM, particularly those practices of the people of Niihau who have a long established history of traveling to and from the Island of Nehoa for subsistence practices.

The trust of the indigenous host culture, the Native Hawaiians as it relates to Papahānaumokuākea rest in the hands of the State of Hawai'i. It is critically important that the State solidify its co-management of PMNM by establishing this program within the Hawaii Revised Statutes. We urge the passage of this bill.

Mahalo.

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**NORTHWESTERN HAWAIIAN ISLANDS
CORAL REEF ECOSYSTEM RESERVE ADVISORY COUNCIL**
Daniel K. Inouye Pacific Regional Center, 1845 Wasp Blvd., Bldg. 176, Honolulu, HI 96818

**TWENTY-SEVENTH LEGISLATURE
REGULAR SESSION OF 2015**

COMMITTEE ON WATER & LAND
Representative Ryan I. Yamane, Chair
Representative Ty J.K. Cullen, Vice Chair

COMMITTEE ON OCEAN, MARINE RESOURCES, & HAWAIIAN AFFAIRS
Representative Kaniela Ing, Chair
Representative Nicole E. Lowen, Vice Chair

Friday, February 6, 2015
11:00 a.m., Conference Room 325 , State Capitol

HOUSE BILL NO. 629

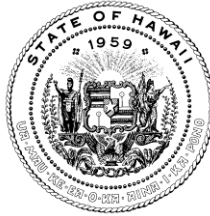
Chair Yamane, Chair Ing, Vice Chair Cullen, Vice Chair Lowen, and members of the committees, the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Advisory Council hereby submits testimony in favor of House Bill No. 629.

The NWHICRER Advisory Council supports establishing the Papahānaumokuākea Marine National Monument Program within the Department of Land and Natural Resources (DLNR) and designating DLNR as the lead agency of the State to co-manage the Monument in accordance with Presidential Proclamation 8031 signed on June 15, 2006, and the memorandum of agreement between DLNR, the U.S. Department of the Interior, U.S. Fish & Wildlife Service, and the U.S. Department of Commerce, National Oceanic & Atmospheric Administration (NOAA). HB 629 provides that DLNR will continue to exercise stewardship responsibility for the management, administration and control over lands, waters, and the natural resources within the State's jurisdiction in the Northwestern Hawaiian Islands, and co-management responsibility along with NOAA and the U.S. Fish & Wildlife Service for the Papahānaumokuākea Marine National Monument. DLNR currently represents the State of Hawaii as one of three co-trustees of the Monument. This legislation is needed to help the Department better fulfill the State's many responsibilities as a co-trustee of this important public resource. We urge you to pass this bill as introduced.

Thank you,
Tim Johns, Chair
Linda Paul, Vice Chair
808-262-6859



DAVID Y. IGE
GOVERNOR OF HAWAII



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DEPARTMENT OF LAND AND NATURAL RESOURCES

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Executive Director, Aha Moku Advisory Committee

LATE

Before the House Committees on
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And
OCEAN, MARINE RESOURCES, & HAWAIIAN AFFAIRS

Friday, February 6, 2015
11:00 AM
State Capitol, Conference Room 325

In **SUPPORT** of
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Relating to the Papahānaumokuākea Marine National Monument

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The Aha Moku encompasses the eight main Hawaiian Islands. It supports the traditional Native Hawaiian practices of the islands which includes fishing and gathering in the PMNM, particularly those practices of the people of Niihau who have a long established history of traveling to and from the Island of Nehoa for subsistence practices.

The trust of the indigenous host culture, the Native Hawaiians as it relates to Papahānaumokuākea rest in the hands of the State of Hawai'i. It is critically important that the State solidify its co-management of PMNM by establishing this program within the Hawaii Revised Statutes. We urge the passage of this bill.

Mahalo.



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE

Papahānaumokuākea Marine National Monument
NOAA IRC
NOS/ONMS/PMNM
1845 Wasp Blvd., Building 176
Honolulu, HI 96818

February 5, 2015

TWENTY-SEVENTH LEGISLATURE
REGULAR SESSION OF 2015

LATE

COMMITTEE ON WATER & LAND
Representative Ryan I. Yamane, Chair
Representative Ty J.K. Cullen, Vice Chair

COMMITTEE ON OCEAN, MARINE RESOURCES, & HAWAIIAN AFFAIRS
Representative Kaniela Ing, Chair
Representative Nicole E. Lowen, Vice Chair

Chair Yamane, Chair Ing, Vice Chair Cullen, Vice Chair Lowen, and members of the committees,

NOAA's Office of National Marine Sanctuaries hereby submits testimony in support of House Bill No. 629.

The Office of National Marine Sanctuaries supports co-management of Papahānaumokuākea Marine National Monument (Monument). The Presidential Proclamation that established the Monument cleared assigned management responsibility of the NWHI to the Departments of Commerce and the Interior and the State of Hawai'i. The Memorandum of Agreement signed by the Secretaries of Commerce and the Interior and the Governor of Hawai'i further assigned responsibility to seven different agencies, including the State Department of Land and Natural Resources (DLNR). State funding of DLNR's co-management capacity, specifically participation in the joint permitting process, participation on the Monument Management Board, and carrying out the Monument Management Plan, is critical to continued protection of the Monument's precious natural and cultural resources as we take on the challenges of the future.

Sincerely,

David Swatland
Acting Superintendent
Papahānaumokuākea Marine National Monument



Testimony of The Nature Conservancy of Hawai'i
Supporting H.B. 629 Relating to the Papahānaumokuākea
Marine National Monument

House Committee on Water and Land
House Committee on Ocean, Marine Resources, and Hawaiian Affairs
Friday, February 6, 2015, 11:00AM, Room 325

LATE

The Nature Conservancy of Hawai'i is a private non-profit conservation organization dedicated to the preservation of the lands and waters upon which life in these islands depends. The Conservancy has helped to protect nearly 200,000 acres of natural lands in Hawai'i. Today, we actively manage more than 35,000 acres in 11 nature preserves on Maui, Hawai'i, Moloka'i, Lāna'i, and Kaua'i. We also work closely with government agencies, private parties and communities on cooperative land and marine management projects.

The Nature Conservancy supports S.B. 1165 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.

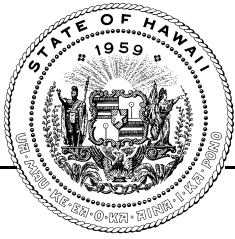
National marine monuments and sanctuaries play a valuable role in the marine conservation. Not only are they designed to protect important biological and archeological resources, they have served as test beds for new management techniques, provide critical research and monitoring opportunities that extend 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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DAVID Y. IGE
GOVERNOR

LEO R. ASUNCION
ACTING DIRECTOR
OFFICE OF PLANNING

Statement of
LEO R. ASUNCION
Acting Director, Office of Planning
before the
**HOUSE COMMITTEE ON WATER & LAND
AND
HOUSE COMMITTEE ON OCEAN, MARINE RESOURCES, & HAWAIIAN AFFAIRS**
Friday, February 6, 2015
11:00 AM
State Capitol, Conference Room 325

in consideration of
HB 629
RELATING TO THE PAPAHA NAUMOKU AKEA MARINE NATIONAL MONUMENT.

LATE

Chairs Yamane and Ing, Vice Chairs Cullen and Lowen, and Members of the House Committees on Water and Land, and Ocean, Marine Resources, and Hawaiian Affairs.

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.

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

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Testimony of
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Interim Chairperson

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Before the House Committees on
OCEAN, MARINE RESOURCES, & HAWAIIAN AFFAIRS
and
WATER & LAND

Friday, February 6, 2015
11:00 AM
State Capitol, Conference Room 325

In consideration of
HOUSE BILL 629
RELATING TO THE PAPAHA NAUMOKU AKEA MARINE NATIONAL MONUMENT

House Bill 629 proposes to establish the Papahānaumokuākea Marine National Monument (PMNM) program in the Hawaii Revised Statutes, to provide advice to the Governor and other state agencies regarding PMNM. In addition, the bill proposes to establish criminal and administrative penalties, allow the Department of Land and Natural Resources (Department) to establish a fee schedule for services provided by the program, and allow the established program to solicit and accept grants and donations. **The Department strongly supports this measure as its overall concept reflect the State's long term commitment to co-manage the resources of PMNM into perpetuity.**

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

The Co-Trustees then entered into an agreement which outlined how the agencies would achieve coordinated management for the area. The "Memorandum of Agreement Among the State of Hawai'i Department of Land and Natural Resources and the United States Department of the Interior United States Fish and Wildlife Service and the United States 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.

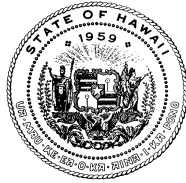
One of the world's largest marine protected areas, PMNM is one of the largest conservation areas in the United States, encompassing an area over seven times as large as all the country's national parks combined. PMNM comprises about two-thirds of the Hawaiian archipelago- extending roughly about 1,000 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 (HRS). In 2005, Hawaii Governor Linda Lingle established the Northwestern Hawaiian Islands Marine Refuge (0-3 nautical miles around all emergent lands, except Midway Atoll) under Sections 187A-5 and 188-53(a), HRS (established as ch. 60.5, Hawaii Administrative Rules). The Department's Division of Aquatic Resources manages these waters. The Department's Division of Forestry and Wildlife manages the emergent lands of the Kure Atoll State Wildlife Refuge. The Department's State Historic Preservation Division and the State Historic Preservation Officer oversee cultural and historical resources statewide (including PMNM). The Department's Division of Conservation and Resources Enforcement 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 the Office of Hawaiian Affairs 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.

The Department greatly values the Legislature's recognition of the State's role as a co-trustee of PMNM.



STATE OF HAWAII
OFFICE OF ENVIRONMENTAL QUALITY CONTROL
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oeqchawaii@doh.hawaii.gov

LATE

**Testimony Supporting Intent of HB 629
RELATING TO THE PAPA HANAUMOKUAKEA MARINE NATIONAL MONUMENT**

REPRESENTATIVE RYAN Y. YAMANI, CHAIR
HOUSE COMMITTEE ON WATER & LAND

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

Hearing Date: February 6, 2015, 11:00 a.m.

Room Number: 325

1 **Department Testimony:** The Office of Environmental Quality Control (OEQC) supports the
2 intent of HB 629, establishing the Papahanaumokuakea Marine National Monument Program
3 within the Department of Land and Natural Resources and designating DLNR as the lead agency
4 of the state to co-manage the Monument in accordance with Presidential Proclamation 8031
5 signed on June 15, 2006, and the memorandum of agreement between DLNR, the U.S.
6 Department of the Interior, U.S. Fish & Wildlife Service, and the U.S. Department of
7 Commerce, National Oceanic & Atmospheric Administration (NOAA). HB 629 provides that
8 DLNR will continue to exercise stewardship responsibility for the management, administration
9 and control over lands, waters, and the natural resources within the State's jurisdiction in the
10 Northwestern Hawaiian Islands, and co-management responsibility along with NOAA and the
11 U.S. Fish & Wildlife Service for the Papahanaumokuakea Marine National Monument. This
12 legislation will make formal the program within a state agency, which will help assure the state
13 fulfills its many responsibilities as a co-trustee of this important public resource.

14 **Fiscal Implications:** OEQC takes no position on the appropriations request, deferring to the
15 Governor's Executive Budget Request for fiscal priorities.

16 Thank you for the opportunity to testify.

LATE

**HISTORIC
HAWAII
FOUNDATION**

TO: Rep. Ryan I. Yamane, Chair
Rep Ty J.K. Cullen, Vice Chair
Committee on Water and Land

Rep. Kaniela Ing, Chair
Rep. Nicole E. Lowen, Vice Chair
Committee on Ocean, Marine Resources & Hawaiian Affairs

FROM: Kiersten Faulkner, Executive Director
Historic Hawaii Foundation

Committee: Friday, February 6, 2015
11:00 a.m.
Conference Room 325

RE: HB 629, Relating to the Papahānaumokuākea Marine National Monument

On behalf of Historic Hawaii Foundation, I am writing in **support for HB 629**. The bill would establish and institutionalize the State's role and responsibilities in co-managing the Papahānaumokuākea Marine National Monument.

Since 1974, Historic Hawai'i Foundation has been a statewide leader for historic preservation. HHF's 850 members and numerous additional supporters work to preserve Hawaii's unique architectural and cultural heritage and believe that historic preservation is an important element in the present and future quality of life, economic viability and environmental sustainability of the state.

Papahānaumokuākea was designated a National Monument in recognition of importance in both natural and cultural resources. In addition to state and federal recognition, the land and waters within the monument's boundaries are also designated as a World Heritage Site. The state has a crucial role in ensuring the appropriate management to perpetuate the cultural resources, including the traditional rights and practices of Native Hawaiians for subsistence, cultural and religious purposes. The bill provides the legal framework and enabling language that is a necessary part of this framework.

Therefore, Historic Hawai'i Foundation supports HB 629.

Thank you for the opportunity to comment.

Hawaiian National Communications Corporation
477 Opihikao Place* Honolulu, Hi 96825
mrjoy@hawaii.rr.com * 808-741-4612

LATE

COMMITTEE WATER & LAND

Chair - Ryan I. Yamane

Vice-Chair - Ty J.K. Cullen

And

OCEAN, MARINE RESOURCES, & HAWAIIAN AFFAIRS

Chair- Kaniela Ing

Vice- Chair- -Nicole E. Lowen

Friday, February 6, 2015

11:00 AM

State Capitol, Conference Room 325

In strong support of

HOUSE BILL 629

RELATING TO

THE PAPAHA NAUMOKU AKEA MARINE NATIONAL MONUMENT

We are in strong support of having DLNR continue its co-managing of Papahānaumokuākea Marine National Monument.

The Department of Land and Natural Resources has done a superb job of 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.

It is vital that the State continues to recognize the role in co-management and the underlying management responsibilities. The area is critical to maintain state sovereignty and to underscore the State's commitment to the resources of PMNM over the long-term.

NOAA, USFWS and OHA have their own missions and area of expertise in the management of Papahānaumokuākea Marine National Monument. It is imperative that the State of Hawaii have a co-manager so that the State has equal footing with the other agencies to effectively engage in the co-management of PMNM including more equitable funding.

Dotting the Pacific, spanning 1/3rd of the world's surface are places and people unknown to most people in America and Europe. No Islands are more geographically isolated than Papahānaumokuākea

Marine National Monument, making them among the least known and least understood parts of the globe.

Papahānaumokuākea Marine National Monument is the one of largest fully protected conservation area under the U.S. flag, and one of the largest marine conservation areas in the world. It was expressly created to protect an exceptional array of natural and cultural resources.

Stretching more than 1,200 miles from Honolulu, the chain of islands and atolls known as the Northwestern Hawaiian Islands (NWHI) is one of the most remote places on Earth. Home to one of the largest coral reef systems in the world -- nearly as vast as Australia's Great Barrier Reef - the NWHI archipelago composed of 10 islands and more than 100 reefs and shoals. They create a rich tropical marine environment and form the foundation of an ecosystem that hosts more than 7,000 species, including marine mammals, fishes, sea turtles, birds and invertebrates. Many are rare, threatened or endangered. At least a quarter of them can be found nowhere else on Earth. They are protected by America's largest National Wildlife Refuge, open only to scientists.

The islands are an extension of the more familiar Hawaiian Islands, but few people have ever set foot on them or dived in their surrounding waters. Their remoteness, inaccessibility and protected status shield them from tourists. Parts of the NWHI are truly unexplored territories. Because of infrequent human contact, these islands and reefs, vibrant and rich with diverse underwater and avian life, create an amazing habitat for unique endemic species.

Hawaiian plants and animals began to evolve over 70 million years ago in nearly complete isolation. Over 90% of the native terrestrial flora and fauna in Hawai'i are found only in the Hawaiian Islands. This level of endemism surpasses all other places on Earth— even the Galapagos Islands!

Various protection efforts in the region have been enacted over the century, beginning in 1903 when President Theodore Roosevelt sent in the U.S. Marines to stop the slaughter of seabirds for feathers and eggs at Midway Atoll. Over the next 100 years, six U.S. Presidents and two Hawai'i Governors afforded the region increasing protection. You must continue the existing programs.

Mahalo
Marsha R. Joyner