

**SB**

**1 1 65**

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**Subject:** Submitted testimony for SB1165 on Feb 6, 2015 14:50PM  
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**SB1165**

Submitted on: 2/5/2015

Testimony for WTL/ENE on Feb 6, 2015 14:50PM in Conference Room 224

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Carty S. Chang      | DLNR                | Support                   | Yes                       |

Comments:

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DAVID Y. IGE  
GOVERNOR OF HAWAII



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

**DANIEL S. QUINN**  
INTERIM FIRST DEPUTY

**W. ROY HARDY**  
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
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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**  
**CARTY S. CHANG**  
**Interim Chairperson**

**Before the Senate Committees on**  
**WATER AND LAND**  
**and**  
**ENERGY AND ENVIRONMENT**

**Friday, February 6, 2015**  
**2:50 PM**  
**State Capitol, Conference Room 224**

**In consideration of**  
**SENATE BILL 1165**  
**RELATING TO THE MANAGEMENT OF OCEAN RESOURCES**

Senate Bill 1165 proposes to establish separate programs, the Hawaiian Islands Humpback Whale National Marine Sanctuary (Sanctuary) program and the Papahānaumokuākea Marine National Monument (Monument) program, within the Department of Land and Natural Resources (Department); establish the co-managed marine area special fund; and appropriate general funds and special funds. **The Department strongly supports the intent of this bill as its overall concept reflect the State's long term commitment to co-manage the resources of the Sanctuary and the Monument into perpetuity, provided that its passage does not adversely impact priorities indicated in the Executive Biennium Budget request.**

**Hawaiian Islands Humpback Whale National Marine Sanctuary**

The Sanctuary was established in 1992 by United States Congress and Sanctuary waters currently comprise almost 25% (800 square miles) of all State waters in the Main Hawaiian Islands. The Sanctuary is co-managed by the National Oceanic and Atmospheric Administration (NOAA) and the State of Hawaii by way of the "Compact Agreement for Coordinated Management of Hawaiian Islands Humpback Whale National Marine Sanctuary" signed May 4, 1998. The State entered into the co-management agreement with NOAA to improve interagency coordination and enhance the management of Hawaii's humpback whales and other marine resources.

Since 1998, the State program has always been fully funded by NOAA. However, over the last several years, federal funding has declined by over 70% and current funding is set to expire in July 2015. Furthermore, the Sanctuary and the State's co-management program have never been

formally established under state law and no state funding has never been provided. **State recognition and state funding of co-management are critical to maintain state sovereignty and to underscore the State's commitment to co-management over the long-term.**

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

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

#### **Papahānaumokuākea Marine National Monument**

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 by the Marine Environmental Protection Committee of the International Maritime Organization. In 2010, the Monument 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, the Monument 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. The Monument comprises about two-thirds of the Hawaiian archipelago extending roughly about 1,000 miles past Kauai and Niihau.

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 the Monument). 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 the Monument 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 the Monument, it is important for the State of Hawaii to officially establish this program to effectively fulfill its co-management responsibilities.

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**SB1165**

Submitted on: 2/5/2015

Testimony for WTL/ENE on Feb 6, 2015 14:50PM in Conference Room 224

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Herman Tuiolosega   | OEQC                | Support                   | No                        |

Comments: Submitting testimony supporting intent for SB1165, on behalf of Jessica E. Wooley, Director, Office of Environmental Quality Control.

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February 4<sup>th</sup>, 2015



**RE: Testimony recommending strong support for SB 1165**

My name is Kristi West and I direct the Hawaii Pacific University (HPU) marine mammal stranding program where I am also an Associate Professor of Biology. I am in strong support of legislative efforts to allocate general funds for the State Co-Manager position of the Hawaiian Islands Humpback Whale National Marine Sanctuary as well as for Sanctuary operations. Approximately 20-25 whales and dolphins strand throughout the main Hawaiian Islands every year, and the HPU stranding program is responsible for conducting cause of death investigations to document causes of mortality and threats faced by Hawaiian dolphins and whales. While HPU manages the cause of death investigations that follow a dead stranding event, the State Co-Manager (Ms. Elia Herman) plays an equally critical role during stranding events. Specifically, the Department of Land and Natural Resources (DLNR) ensure that human safety remains of paramount importance during whale strandings and the State Co-Manager coordinates logistics for at sea towing of carcasses or land transport for disposal using heavy equipment when floating or beached dead whales attract sharks to popular beaches. Decomposing carcasses also pose human health hazards and disease risks to an untrained public and this has historically been mitigated by at sea towing or by disposal efforts on land that are led by the State Co-Manager at DLNR. Large decomposing sperm or humpback whale carcasses that pose human health hazards occur in the Hawaiian Islands occur on at least an annual basis, and I am very concerned about the potential for negative human health and safety impacts to local communities in the absence of permanent support of the State Co-Manager position.

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

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

**College of Natural and Computational Sciences**

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

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

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

[www.hpu.edu](http://www.hpu.edu)

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**Subject:** Submitted testimony for SB1165 on Feb 6, 2015 14:50PM  
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**SB1165**

Submitted on: 2/4/2015

Testimony for WTL/ENE on Feb 6, 2015 14:50PM in Conference Room 224

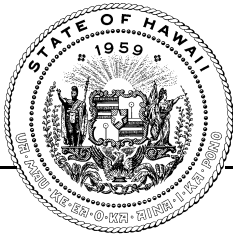
| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Teri Hee            | Office of Planning  | Support                   | No                        |

Comments: Please see attached Testimony file.

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**OFFICE OF PLANNING  
STATE OF HAWAII**

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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  
**SENATE COMMITTEE ON WATER AND LAND  
AND  
SENATE COMMITTEE ON ENERGY AND ENVIRONMENT**  
Friday, February 6, 2015  
2:50 PM  
State Capitol, Conference Room 224

in consideration of  
**SB 1165**  
**RELATING TO THE MANAGEMENT OF OCEAN RESOURCES.**

Chairs Thielen and Gabbard, Vice Chairs Galuteria and Green, and Members of the Senate Committees on Water and Land, and Energy and Environment.

The Office of Planning (OP) supports the intent of this bill, SB1165, which establishes the Hawaiian Islands Humpback Whale National Marine Sanctuary (Sanctuary) program and the Papahānaumokuākea Marine National Monument (Monument) program, within the Department of Land and Natural Resources.

OP administers the State's Coastal Zone Management program which is the lead agency for the coordination of the Hawaii Ocean Resources Management Plan (ORMP). Both the Sanctuary and Monument programs represent valuable management of the State's ocean and marine resources, and continue to be collaborating partners for the management priorities under the ORMP.

Thank you for the opportunity to testify on this measure.

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**Subject:** Submitted testimony for SB1165 on Feb 6, 2015 14:50PM  
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**SB1165**

Submitted on: 2/5/2015

Testimony for WTL/ENE on Feb 6, 2015 14:50PM in Conference Room 224

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Frazer McGilvray    | Malama Maunalua     | Support                   | Yes                       |

Comments:

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February 5, 2015

Testimony to:

Senate Committee on Water and Land  
Senate Committee on Energy and Environment  
Senate Committee on Ways and Means

Dear Committee Chairs

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

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

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

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

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

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

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

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

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

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

Yours truly,

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

Frazer McGilvray  
Executive Director  
Member of the Board

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**SB1165**

Submitted on: 2/3/2015

Testimony for WTL/ENE on Feb 6, 2015 14:50PM in Conference Room 224

| <b>Submitted By</b> | <b>Organization</b>     | <b>Testifier Position</b> | <b>Present at Hearing</b> |
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| James E. Coon       | Ocean Tourism Coalition | Support                   | No                        |

Comments:

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COMMITTEE ON WATER AND LAND

Senator Laura H. Thielen, Chair  
Senator Brickwood Galuteria, Vice Chair

COMMITTEE ON ENERGY AND ENVIRONMENT

Senator Mike Gabbard, Chair  
Senator Josh Green, Vice Chair

DATE: Friday, February 06, 2015  
TIME: 2:50 PM  
PLACE: Conference Room 224

TESTIMONY OF THE OCEAN TOURISM COALITION  
SPEAKING IN STRONG SUPPORT OF SB 1165

My name is James E. Coon, President of the Ocean Tourism Coalition. The OTC represents over 300 small ocean tourism businesses state wide. Most of these are family businesses which are locally owned and operated. Many of them have been in business for several decades and are an important and valued part of their respective communities.

The Ocean Tourism Industry depends on an environment that is healthy and protected. The Whale Sanctuary enjoys strong support from our members. The Sanctuary has been co-managed by the State of Hawaii and NOAA since 1998. Historically the Fed has funded this State Co-Manager position.

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

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

The OTC humbly asks you to pass SB 1165 and fund this vital position.

Sincerely,

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

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**SB1165**

Submitted on: 2/5/2015

Testimony for WTL/ENE on Feb 6, 2015 14:50PM in Conference Room 224

| <b>Submitted By</b> | <b>Organization</b>             | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------------------|---------------------------|---------------------------|
| John Parks          | Marine Management Solutions LLC | Support                   | No                        |

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February 4th, 2015

Senator Mike Gabbard  
Chair, Senate Committee on Energy and Environment  
Senator Laura H. Thielen  
Chair, Senate Committee on Water and Land

The Senate  
Twenty-Eighth Legislature, 2015  
State of Hawai'i

**RE: Support for Senate Bill 1165**

Dear Senators Gabbard and Thielen:

My name is John Parks. I am a marine scientist and owner of Marine Management Solutions LLC, a small, private practice specializing in providing marine management solutions to government and non-government clients around the world.

As both a scientific professional and small-business owner in the State of Hawai'i, I strongly support legislative efforts to allocate general funds for the State Co-manager position of the Hawaiian Islands Humpback Whale National Marine Sanctuary, as well as the Sanctuary's operations. Maunalua Bay has been my family's home for six generations, and remains so today. In being encompassed within the Sanctuary boundaries, the waters of Maunalua Bay are home to a number of important environmental, economic, cultural, and recreational functions and services. As well as serving as the home of our local families and businesses, the Sanctuary's unique natural beauty attracts thousands of visitors and significant tourism revenue into Maunalua Bay each month.

The State of Hawai'i jointly manages the Sanctuary in partnership with the Federal Government. This collaborative management model has worked effectively since initiation in 1998. A critical component to the success of this approach has been the Co-manager Position within the State of Hawai'i Department of Land and Natural Resources. This civil servant works to ensure that a consistent, local voice – including from my own community here in Maunalua Bay – is maintained and considered, particularly within respect to balancing out federal interests and voices that may not always reflect local concerns or interests.

I strongly encourage the allocation of general funds to continue the State's Co-manager Position and Sanctuary operations.

Thank you,

John Parks  
Owner and Executive Member  
Marine Management Solutions LLC



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**SB1165**

Submitted on: 2/6/2015

Testimony for WTL/ENE on Feb 6, 2015 14:50PM in Conference Room 224

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Kevin Chang         | Kua'aina Ulu 'Auamo | Support                   | No                        |

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Testimony Before The Senate  
Committee on Water & Land  
Committee on Energy & the ENvironment  
**IN SUPPORT OF SB 1165**

Friday, February 6, 2015, 2:50PM, Room 224

My name is Kevin Chang and I am the Executive Director of Kua'āina Ulu 'Auamo (or KUA). KUA works to empower grassroots rural and Native Hawaiian mālama 'āina groups to celebrate their places and pass on their traditions to better Hawai'i and achieve 'āina momona— an abundant, productive ecological system that supports community well-being. We employ a community-driven approach that currently supports a network of more than 31 mālama 'āina community groups collectively referred to as E Alu Pū (moving forward together), 40 fishpond projects and practitioners called the Hui Mālama Loko I'a, and a new and growing hui of Limu practitioners all from across our state.

**KUA supports SB 1165 as an incremental step towards 'āina momona.** This bill would establish the Hawaiian islands humpback whale national marine sanctuary program and the Papahānaumokuākea marine national monument program within DLNR; establishes the co-managed marine area special fund; appropriates general funds and special funds.

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

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

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

Mahalo for this opportunity to testify.

Aloha 'Āina Momona

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**SB1165**

Submitted on: 2/4/2015

Testimony for WTL/ENE on Feb 6, 2015 14:50PM in Conference Room 224

| <b>Submitted By</b> | <b>Organization</b>                         | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---|---------------------------|---------------------------|
| Lynette Poncin      | Hawaii National Marine Sanctuary Foundation | Support                   | No                        |

Comments:

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**Re: Strong support HB1478**

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

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

Thank you,

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [WTLTestimony](#)  
**Cc:** [makaala@hawaiian.net](mailto:makaala@hawaiian.net)  
**Subject:** Submitted testimony for SB1165 on Feb 6, 2015 14:50PM  
**Date:** Tuesday, February 03, 2015 3:53:36 PM

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**SB1165**

Submitted on: 2/3/2015

Testimony for WTL/ENE on Feb 6, 2015 14:50PM in Conference Room 224

| <b>Submitted By</b> | <b>Organization</b>   | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|-----------------------|---------------------------|---------------------------|
| Makaala Kaaumoana   | Hanalei Watershed Hui | Support                   | No                        |

Comments: The Hanalei Watershed Hui strongly supports this bill. State Co management of the sanctuary is key to appropriate and correct management.

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**To:** [WTLTestimony](#)  
**Cc:** [mz@conservehi.org](mailto:mz@conservehi.org)  
**Subject:** Submitted testimony for SB1165 on Feb 6, 2015 14:50PM  
**Date:** Tuesday, February 03, 2015 5:22:32 PM  
**Attachments:** [CCH testimony SB 1165 whale sanctuary appropriation.pdf](#)

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**SB1165**

Submitted on: 2/3/2015

Testimony for WTL/ENE on Feb 6, 2015 14:50PM in Conference Room 224

| <b>Submitted By</b> | <b>Organization</b>              | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|----------------------------------|---------------------------|---------------------------|
| Marjorie Ziegler    | Conservation Council for Hawai'i | Support                   | No                        |

Comments:

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**Conservation Council  
for Hawai'i**

*Hawai'i's voice for wildlife*

*Kō Hawai'i leo no nā holoholona lōhiu*



Testimony Submitted to the  
Senate Committees on Water and Land and Energy and Environment  
Hearing: Friday, February 6, 2015 2:50 pm, Room 224

In Support of SB 1165 Relating to the Management of Ocean Resources

Aloha. The Conservation Council for Hawai'i supports SB 1165, which establishes the Hawaiian islands humpback whale national marine sanctuary program and the Papahānaumokuākea marine national monument program within DLNR, and establishes the co-managed marine area special fund; appropriates general funds and special funds.

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

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

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

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



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

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

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

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

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





Conservation Council for Hawai'i

February 6, 2015

SB 1165 - Page 2

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

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

Mahalo nui loa for the opportunity to testify.

Sincerely,

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

Marjorie Ziegler

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [WTLTestimony](#)  
**Cc:** [mfox@tnc.org](mailto:mfox@tnc.org)  
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**Date:** Thursday, February 05, 2015 6:26:21 PM  
**Attachments:** [SB 1165 TNC testimony 02 06 15.pdf](#)

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**SB1165**

Submitted on: 2/5/2015

Testimony for WTL/ENE on Feb 6, 2015 14:50PM in Conference Room 224

| <b>Submitted By</b> | <b>Organization</b>    | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|------------------------|---------------------------|---------------------------|
| Mark Fox            | The Nature Conservancy | Support                   | Yes                       |

Comments:

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Testimony of The Nature Conservancy of Hawai'i  
Supporting S.B. 1165 Relating to the Management of Ocean Resources  
Senate Committee on Water and Land  
Senate Committee on Energy and Environment  
Friday, February 6, 2015, 2:50PM, Room 224

---

*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 programs and co-manager positions in the DLNR to represent the State's interests in the Hawaiian Islands Humpback Whale National Marine Sanctuary and the Papahānaumokuākea Marine National Monument.

The Humpback Whale Sanctuary surrounding the main Hawaiian islands and the Papahānaumokuākea Marine Monument in the northwest Hawaiian islands overlap with some of the most important marine assets belonging to the State of Hawai'i. The federal government has supported the State co-manager positions for both the Sanctuary and 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 Sanctuaries and Marine Monuments play a valuable role in the marine conservation. Not only are they designed to protect important biological and archeological resources, they have served as test beds for new management techniques, provide critical research and monitoring opportunities that extend beyond their boundaries, and have helped to increase public education and awareness of ocean issues and the role healthy oceans play in our lives and livelihoods.

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

Now, more than ever, the State of Hawai'i needs established programs and Sanctuary and Monument co-managers 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.

BOARD OF TRUSTEES

Mark E. Agne Paul D. Alston Alan H. Arizumi Christopher J. Benjamin Anne S. Carter Richard A. Cooke III  
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**Cc:** [mrjoy@hawaii.rr.com](mailto:mrjoy@hawaii.rr.com)  
**Subject:** Submitted testimony for SB1165 on Feb 6, 2015 14:50PM  
**Date:** Thursday, February 05, 2015 10:04:39 PM  
**Attachments:** [Testimony in support of SB 1165..docx](#)

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**SB1165**

Submitted on: 2/5/2015

Testimony for WTL/ENE on Feb 6, 2015 14:50PM in Conference Room 224

| <b>Submitted By</b> | <b>Organization</b>                          | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|--|---------------------------|---------------------------|
| Marsha Joyner       | Hawaiian National Communications Corporation | Support                   | No                        |

Comments:

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Hawaiian National Communications Corporation  
477 Opihikao Place\* Honolulu, Hi 96825  
[mrjoy@hawaii.rr.com](mailto:mrjoy@hawaii.rr.com) \* 808-741-4612

**COMMITTEE ON WATER AND LAND**  
**Senator Laura H. Thielen, Chair**  
**Senator Brickwood Galuteria, Vice Chair**

**COMMITTEE ON ENERGY AND ENVIRONMENT**  
**Senator Mike Gabbard, Chair**  
**Senator Josh Green, Vice Chair**

**DATE:**  
**Friday, February 06, 2015**  
**TIME:**  
**2:50 PM**

**Conference Room 224**  
**State Capitol**

In strong support of  
Senate Bill 1165  
RELATING TO  
RELATING TO THE MANAGEMENT OF OCEAN RESOURCES

**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

**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 ENERGY AND ENVIRONMENT  
Senator Mike Gabbard, Chair  
Senator Josh Green, Vice Chair**

**COMMITTEE ON WATER AND LAND  
Senator Laura H. Thielen, Chair  
Senator Brickwood Galuteria, Vice Chair**

**Friday, February 6, 2015  
2:50 p.m., Conference Room 224 , State Capitol**

**SENATE BILL NO. 1165**

Senator Thielen, Senator Gabbard, Senator Galuteria, Senator Green, and members of the committees, the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Advisory Council hereby submits testimony in favor of Senate Bill No. 1165.

The NWHICRER Advisory Council supports establishing the Hawaiian Islands Humpback Whale National Marine Sanctuary Program and the Papahānaumokuākea Marine National Monument Program within the Department of Land and Natural Resources; establishing a co-managed marine area special fund within the state treasury; and appropriating funds to the co-managed marine area special fund to support the programs and to provide sufficient time for moneys to be deposited into the special fund for the administration and management of the program.

The Department of Land and Natural Resources currently represents the State of Hawaii as co-manager of both the Hawaiian Islands Humpback Whale National Marine Sanctuary and the Papahānaumokuākea Marine National Monument. This legislation is needed to help the Department better fulfill the State's many responsibilities as a co-manager of these important public resources. We urge you to pass this bill as introduced.

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



**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [WTLTestimony](#)  
**Cc:** [pack@hawaii.edu](mailto:pack@hawaii.edu)  
**Subject:** Submitted testimony for SB1165 on Feb 6, 2015 14:50PM  
**Date:** Wednesday, February 04, 2015 5:12:33 PM  
**Attachments:** [Dr. Adam Pack testimony SB 1165.pdf](#)

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**SB1165**

Submitted on: 2/4/2015

Testimony for WTL/ENE on Feb 6, 2015 14:50PM in Conference Room 224

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Adam Pack           | Individual          | Support                   | Yes                       |

Comments:

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**Date:** February 4, 2015

**To:** Senate Committees on Water and Land and Energy and Environment  
Conference Room 224  
Hawai'i State Capitol  
415 S. Beretania St.  
Honolulu, HI 96813

**From:** Adam A. Pack, Ph.D.

**Re: STRONG SUPPORT FOR SB 1165**

**Testimony:**

Aloha Senate Chairs and Committee Members,

**I STRONGLY SUPPORT SB 1165** establishing the Hawaiian Islands Humpback Whale National Marine Sanctuary Program within DLNR including the Allocation of General Funds for the State Co-Manager Position and Sanctuary Co-Management operations.

I am Dr. Adam Pack, an Associate Professor in the Departments of Biology and Psychology at University of Hawai'i at Hilo. I have lived in Hawai'i since 1983, earning both my MA and Ph.D. at UH Manoa. I am also the current elected Chair of the Hawaiian Islands Humpback Whale National Marine Sanctuary Advisory Council, although for the purposes of this testimony I am only representing myself as a long-time resident in the Hawaiian Islands. For the past 20 years, I have been scientifically studying the social ecology, migratory patterns, biology, behavior, and communication systems of humpback whales in Hawaiian waters. Through the publication of my work, I have been able to provide State and Federal agencies with critical information that has assisted them in the protection and conservation of this endangered species and official State of Hawai'i marine mammal.

As you are aware, various portions of State waters that have been historically preferred by humpback whales for calving and breeding have been officially designated as one of 14 National Marine Sanctuaries. The US Congress designated the Hawaiian Islands Humpback Whale National Marine Sanctuary (Sanctuary) in 1992, and in 1998, Governor Cayetano signed a Compact Agreement recognizing a joint State and Federal partnership of the Sanctuary. As part of that original compact agreement, funding to support the State of Hawaii Co-Manager Position housed in DLNR was to be provided by NOAA pending availability of funds. However, in recent years Federal funding for many programs has been cut making budgets and budget planning tenuous at best. At the same time, the Sanctuary's community-based advisory council has recommended as part of the Sanctuary's management plan review and planning process expanding from a single species sanctuary to one that recognizes the importance of the entire marine ecosystem. I believe this recommended expansion is a positive move for the Sanctuary as long as it's commitment to humpback whales is maintained.

However, I also believe that if the State is to be a true partner, have a real say in managing the Sanctuary, and live up to its own rights and responsibilities for the protection of

Hawai'i's marine fragile environment, it must at this critical juncture provide its own State resources to permanently establish and fully fund the State Co-Management Sanctuary Program within DLNR including the allocation of general funds for the State Co-Manager Position and Sanctuary Co-Management operations. By providing this funding, the State would be clearly showing its long-term commitment to its partnership and active participation in the Sanctuary, as well as to the protection and conservation of the marine resources using Sanctuary waters. A true partnership in all senses of the word makes sense as the resources protected with the Sanctuary expand. More than that, it is simply *pono*. **I therefore urge you to pass SB 1165.**

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

Sincerely,

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

Adam A. Pack, Ph.D.

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [WTLTestimony](#)  
**Cc:** [cmkaai@hawaiiantel.net](mailto:cmkaai@hawaiiantel.net)  
**Subject:** Submitted testimony for SB1165 on Feb 6, 2015 14:50PM  
**Date:** Thursday, February 05, 2015 5:12:44 PM  
**Attachments:** [Committee on Water and Land.docx](#)

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**SB1165**

Submitted on: 2/5/2015

Testimony for WTL/ENE on Feb 6, 2015 14:50PM in Conference Room 224

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Charles M. Kaaiai   | Individual          | Oppose                    | No                        |

Comments:

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February 5, 2015

Committee on Water and Land  
Committee on Energy and Environment  
Conference Room 224, State Capito  
415 S. Beretania Street  
Honolulu, Hawaii

RE: Opposition to SB 1165

I urge the State of Hawai`i not to support the Hawaiian Islands Humpback Whale National Marine Sanctuary in any way. When Governor Cayetano agreed to allowing the Sanctuary in State waters the agreement specifically limited the ability of the Sanctuary to expand by adding new species to the sanctuary. The Sanctuary, by attempting to add Honu and Monk Seals to the sanctuary pursuant to federal authority, breached that agreement and the State should end this agreement with the federal government not support this duplicity by making State rules and regulations seeking to limit the enjoyment of these State waters by residents and citizens of the State of Hawai`i.

The Sanctuary has 15 – 20 federal employees to co-manage the Sanctuary. They pay for one position from the State. That funding will end in July creating the need for State funding. One State worker with 15 federal employees: how is that co-management? If the Sanctuary wants to continue the pretense of “co-management” then they should pay for it.

O wau no, me ka ha`aha`a,  
Charles Kaaiiai

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [WTLTestimony](#)  
**Cc:** [D.Raney108@gmail.com](mailto:D.Raney108@gmail.com)  
**Subject:** Submitted testimony for SB1165 on Feb 6, 2015 14:50PM  
**Date:** Thursday, February 05, 2015 10:38:05 AM  
**Attachments:** [TESTIMONY IN FAVOR OF SB 1165.docx](#)

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**SB1165**

Submitted on: 2/5/2015

Testimony for WTL/ENE on Feb 6, 2015 14:50PM in Conference Room 224

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Dave Raney          | Individual          | Support                   | No                        |

Comments:

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TESTIMONY IN FAVOR OF SB 1165  
RELATING TO THE MANAGEMENT OF OCEAN RESOURCES

Co-Chairs Thielan and Gabbard and distinguished committee members:

My name is Dave Raney. I am a former member of the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Advisory Council, and I support passage of SB 1165.

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

Many of the most important natural resources in these marine protected areas are found within state waters. SB 1165 will provide the Department of Land and Natural Resources with the legal authorities and financial means for the State to properly carry out its Co-Management responsibilities.

While the State has benefitted in the past from federal funding for its Co-Management staffing and operations, federal funding of state co-manager positions can, as pointed out in Section One of this bill, create a perception of a conflicts of interests for the incumbents of those positions. State funding of those positions will remove those perceptions while also demonstrating the State's commitment to the effective management of the public trust resources involved.

The dollar amounts are modest, and the benefits are significant. I urge passage of SB 1165.

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

**Re: Strong support for HB 1478 or SB 1165]**

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

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

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

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

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

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



**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [WTLTestimony](#)  
**Cc:** [hannah.herman@gmail.com](mailto:hannah.herman@gmail.com)  
**Subject:** Submitted testimony for SB1165 on Feb 6, 2015 14:50PM  
**Date:** Wednesday, February 04, 2015 4:19:14 PM  
**Attachments:** [Testimony in support of SB1165.docx](#)

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**SB1165**

Submitted on: 2/4/2015

Testimony for WTL/ENE on Feb 6, 2015 14:50PM in Conference Room 224

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Hannah Herman       | Individual          | Support                   | No                        |

Comments:

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I am Hannah Herman , resident of Aina Haina writing in support of SB1478. I urge the passage of this bill to allocate general funds for the State Co-Manager position of the Hawaiian Islands Humpback Whale National Marine Sanctuary as well as all Sanctuary operations.

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

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [WTLTestimony](#)  
**Cc:** [jerrod\\_kowalski@yahoo.com](mailto:jerrod_kowalski@yahoo.com)  
**Subject:** Submitted testimony for SB1165 on Feb 6, 2015 14:50PM  
**Date:** Wednesday, February 04, 2015 2:37:34 PM  
**Attachments:** [SB1165.doc](#)

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**SB1165**

Submitted on: 2/4/2015

Testimony for WTL/ENE on Feb 6, 2015 14:50PM in Conference Room 224

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Jerrod Kowalski     | Individual          | Support                   | No                        |

Comments:

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**Re: Strong support for SB 1165**

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

Thank you,

Jerrod Kowalski  
General Manager  
Aqua Lung Pacific

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [WTLTestimony](#)  
**Cc:** [jkittinger@gmail.com](mailto:jkittinger@gmail.com)  
**Subject:** Submitted testimony for SB1165 on Feb 6, 2015 14:50PM  
**Date:** Thursday, February 05, 2015 5:28:29 PM  
**Attachments:** [Testimony for SB 1165 J Kittinger.pdf](#)

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**SB1165**

Submitted on: 2/5/2015

Testimony for WTL/ENE on Feb 6, 2015 14:50PM in Conference Room 224

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| John N. Kittinger   | Individual          | Support                   | No                        |

Comments:

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Testimony of  
**JOHN N. (JACK) KITTINGER, PHD**

In consideration of  
Senate Bill 1165  
Relating to the State of Hawai'i's Co-Manager for the Hawaiian Islands Humpback Whale  
National Marine Sanctuary

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

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

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

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

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

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

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

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

Thank you,

John N. (Jack) Kittinger, PhD

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [WTLTestimony](#)  
**Cc:** [lherman@hawaii.edu](mailto:lherman@hawaii.edu)  
**Subject:** Submitted testimony for SB1165 on Feb 6, 2015 14:50PM  
**Date:** Wednesday, February 04, 2015 3:11:04 PM  
**Attachments:** [Testimony in support of SB 1165.doc](#)

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**SB1165**

Submitted on: 2/4/2015

Testimony for WTL/ENE on Feb 6, 2015 14:50PM in Conference Room 224

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Louis Herman        | Individual          | Support                   | Yes                       |

Comments:

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**Re: Strong support for SB 1165 to allocate general funds for the State Co-Manager position of the Hawaiian Islands Humpback Whale National Marine Sanctuary (Sanctuary), as well as for State Sanctuary operations.**

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

Let me explain briefly.

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

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

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

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

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

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



With appreciation for your support,

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

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [WTLTestimony](#)  
**Cc:** [msangelo81@gmail.com](mailto:msangelo81@gmail.com)  
**Subject:** Submitted testimony for SB1165 on Feb 6, 2015 14:50PM  
**Date:** Thursday, February 05, 2015 3:28:16 PM  
**Attachments:** [150205\\_Angelo\\_Michael\\_S\\_SB1165\\_Written\\_Testimony.docx](#)

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**SB1165**

Submitted on: 2/5/2015

Testimony for WTL/ENE on Feb 6, 2015 14:50PM in Conference Room 224

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Mike Angelo         | Individual          | Support                   | No                        |

Comments:

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I am testifying to request the full-support of the Senate on this important measure.

The Hawaiian Islands Humpback Whale Sanctuary and Papahānaumokuākea Marine National Monument (“The Sanctuaries”) are funded through the National Oceanic and Atmospheric Administration (NOAA) and provide fiscal support to a number of important programs for that are of direct benefit to Hawaii. The Sanctuaries foster increased resource conservation and encourage the practice of cultural traditions and community involvement in resource management. In general, the Sanctuaries are a valuable contributor to our state. NOAA even provides funding to enable co-management of The Sanctuaries between the State of Hawaii and the Federal government. Currently, NOAA fully funds positions at Hawaii’s Department of Land and Natural Resources for a co-manager of the Humpback Whale Sanctuary and a co-manager for Papahānaumokuākea. The Sanctuaries are a valuable contributor to our state and we need them.

However..... Hawaii.....We have a problem....

Federal funding for programs directed by the State co-managers has become increasingly scarce over recent years as Federal budget restrictions have forced cuts. Moreover, the availability of federal funds to support the co-manager positions in the upcoming years is in danger of being eliminated entirely.

That is unacceptable.

The State co-managers at DLNR represent our voice..... the voice of Hawaii during negotiations with the Federal government to changes to the rules of how The Sanctuaries are managed. This is a critical time for Hawaii. The Federal government is proposing changes to the scope of the management of the Humpback Whale Sanctuary. They have gone so far as to propose rules regarding the sanctuary that would affect 30% of the waters of *our State*. We must act now to ensure that we have a voice representing our state as the new management plan is unveiled. We also need people with their ear to the ground every day to let us know what is going on and advocate for us. That is the purpose of the co-manager positions at DLNR.

We, as responsible members of our community, must act together to provide permanent funding for the positions of the co-managers at the Department of Natural Resources so that the voice of the people of our state will be heard: Loud and Clear!

Please fully support this measure.

Testimony respectfully submitted by: Michael S. Angelo, Honolulu

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [WTLTestimony](#)  
**Cc:** [oceanmana@hawaiiantel.net](mailto:oceanmana@hawaiiantel.net)  
**Subject:** Submitted testimony for SB1165 on Feb 6, 2015 14:50PM  
**Date:** Wednesday, February 04, 2015 5:18:59 PM  
**Attachments:** [Testimony for state funding co manager 2015.docx](#)

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**SB1165**

Submitted on: 2/4/2015

Testimony for WTL/ENE on Feb 6, 2015 14:50PM in Conference Room 224

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Nina Monasevitch    | Individual          | Support                   | No                        |

Comments:

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**Re: Strong support for SB1165**

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

Thank you,

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

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [WTLTestimony](#)  
**Cc:** [philferna@gmail.com](mailto:philferna@gmail.com)  
**Subject:** Submitted testimony for SB1165 on Feb 6, 2015 14:50PM  
**Date:** Thursday, February 05, 2015 8:19:14 AM  
**Attachments:** [SB1165 Fernandez.pdf](#)

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**SB1165**

Submitted on: 2/5/2015

Testimony for WTL/ENE on Feb 6, 2015 14:50PM in Conference Room 224

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Philip Fernandez    | Individual          | Support                   | No                        |

Comments: Please support SB1165.

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COMMITTEE ON WATER AND LAND  
Senator Laura Thielen, Chair  
Senator Brickwood Galuteria, Vice Chair

COMMITTEE ON ENERGY AND ENVIRONMENT  
Senator Mike Gabbard, Chair  
Senator Josh Green, Vice Chair

From: Phil Fernandez, Fisherman, Big Island, Hawaii

Date: February 5, 2015

Subject: SUPPORT OF SB1165  
RELATING TO MANAGEMENT OF OCEAN RESOURCES

I am a fisherman on the Kona side of the Big Island and an person actively involved in a number of Federal and State marine resource management councils and committees, including as one of two Fishing Representatives to the Hawaiian Islands Humpback Whale National Marine Sanctuary Advisory Council, the West Hawaii Representative on the State Office of Planning's Marine and Coastal Zone Advocacy Committee, and a member of the NOAA National Marine Fisheries Service's Hawaiian Monk Seal Recovery Team. Also as the key author of the petition to delist the North Pacific population segment of the Humpback Whale from the endangered species list, I have keen knowledge of the Sanctuary and of marine mammals.

I *SUPPORT* SB1165 as the State of Hawaii was designated a co-partner in the management of the Sanctuary from its inception. Then-Governor Cayetano negotiated a compact agreement to assure that Hawaii would have a co-management role. This co-management role is critical to assure that input from local communities as well as local fishermen are heard. Our advocate in this process is the State co-manager, thus without permanent funding, we would lose a critical voice that will speak on behalf of the State of Hawaii and its people.

Timing is critical. The Whale Sanctuary will release their Draft Management Plan for public review within the next few weeks, and will formulate a new Management Plan which will revise numerous components of its goals and operations. The State of Hawaii needs strong and full-time representation to protect the interests of the State and its citizens.

While the humpback whale is no longer at risk of extinction, and therefore should be removed from the protection-of-last-resort, the Endangered Species List, the whale sanctuary brings valuable resources to bear to the ongoing marine resource management process.

Furthermore, the compact agreement between the State and Federal government preserves the State's right to manage its fisheries within State waters (inside the 3-mile line). State waters and its fisheries must be managed by the State, without interference from Federal agencies such as the Office of National Marine Sanctuaries.

I urge you to support this bill.

Sincerely,

A handwritten signature in blue ink, appearing to read "Fernandez", written over a light-colored rectangular background.

Phil Fernandez  
Holualoa, Hawaii



**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [WTLTestimony](#)  
**Cc:** [mahiai@sandwichisles.net](mailto:mahiai@sandwichisles.net)  
**Subject:** Submitted testimony for SB1165 on Feb 6, 2015 14:50PM  
**Date:** Thursday, February 05, 2015 9:54:02 PM

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**SB1165**

Submitted on: 2/5/2015

Testimony for WTL/ENE on Feb 6, 2015 14:50PM in Conference Room 224

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Randy Awo           | Individual          | Support                   | No                        |

Comments: I am submitting testimony In strong support of SB 1165. The allocation of general funds in support of State Co-Management of the Hawaiian Islands Humpback Whale National Whale Sanctuary is critical to the success of the program. It provides Hawaii with "a seat at the table" in working with a wide and diverse range of stake holders who have an interest or are affected by the complex issues of managing the Sanctuary, fisheries and marine protected species such as humpback whales, turtles, Hawaiian monk seals, etc.

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**From:** [Sheila Sarhangi](#)  
**To:** [WTLTestimony](#)  
**Subject:** Testimony In Support of SB 1165 w/ Attachment  
**Date:** Thursday, February 05, 2015 6:09:17 PM  
**Attachments:** [GroupSignOnLetter\\_Sanctuary.2.5.15.pdf](#)

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Aloha,

Re: Strong support for SB 1165.

My name is Sheila Sarhangi and I am a resident of Oahu.

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

I am a former resident of Lahaina, Maui, and my business relied on the health of Sanctuary waters.

We are fortunate to have a State Co-Manager who has proven herself as consistent voice for the State, for our communities, and for our resources. It is in the state's best interest to retain this position.

**In addition to my testimony, please find attached a group letter signed by more than 20 individuals--from non-profit executive directors to scientists and local fishermen--who are in support of general funding for State Co-Management.**

Mahalo nui loa,  
Sheila

February 5, 2015

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

Aloha Senators and Representatives:

We the undersigned ask you to **allocate general funds to support co-management of the Sanctuary** at the Department of Land and Natural Resources. This request includes support for the State of Hawai'i's Sanctuary Co-Manager (#109101 - \$67,500) and operations (\$127,000), and for the Marine Wildlife Program Coordinator (#118785 - \$27,750; 50% FTE).

The Hawaiian Islands Humpback Whale National Marine Sanctuary (Sanctuary) is one of the world's most important humpback whale habitats. Since 1998, the Sanctuary has been co-managed by the State of Hawai'i and the National Oceanic and Atmospheric Association (NOAA) by way of a compact agreement. Federal funding has supported state co-management, including the Co-Manager position and operations, since its inception. However, federal support has declined by nearly 70%<sup>1</sup> and **current funding will expire in July 2015.**

This is a critical time. In 2015, the federal government will propose shifting the Sanctuary's scope from management of humpback whales to management of all natural and cultural resources in its boundaries. In addition, the proposal will expand Sanctuary boundaries to overlay 30% of State waters (app. 1,000 square miles). **In order for the State to avoid losing the one position (Sanctuary Co-Manager) responsible for representing its interests in co-management of the Sanctuary, general funding is urgently needed.**

The entire State Sanctuary program—through Elia Herman as Sanctuary Co-Manager and Earl Miyamoto as Marine Wildlife Program Coordinator—has been a voice for the State, for our communities, and for our resources. Elia and Earl work closely with a range of partners—fishermen, community advocates, tour operators, cultural practitioners, universities, agencies, and keiki—to address complex issues related to the Sanctuary, Hawaiian monk seals, sea turtles, and other marine protected species. Investing in these positions not only ensures the voices of our communities are heard, but also **allows the State of Hawai'i to leverage millions of dollars in federal and private funds** to support this important work.<sup>2</sup>

We thank you for your leadership and ask that you please fund the State Co-Manager, Marine Wildlife Program Coordinator, and State Sanctuary operations in the 2015 Legislative session.

Mahalo,

(over)

<sup>1</sup> For 13 years (1998 to 2010) funding from NOAA's Office of National Marine Sanctuaries (ONMS) to support State co-management averaged \$257,000 per year. In 2014, ONMS funding for the State co-management was \$75,000.

<sup>2</sup> Over the last 3 years, the State Sanctuary program has leveraged over \$1.3 million in federal and private funds. With State funding for these positions, the program expects to leverage an additional \$2 million in federal dollars over the next two years.

Denise Antolini  
**Associate Dean for Academic Affairs,  
William S. Richardson School of Law**

Lynette Poncin  
**Chair of the Board and Maui Representative,  
Hawai'i National Marine Sanctuary  
Foundation**

Adam Pack, PhD  
**Associate Professor of Biology & Psychology,  
University of Hawai'i at Hilo**

Jack Kittinger  
**Director, Conservation International Hawai'i**

Kristi West  
**Associate Professor of Biology,  
Hawai'i Pacific University**

Frazer McGilvray  
**Executive Director, Malama Maunalua**

Nina Monasevitch  
**Kaua'i Board Member,  
Hawai'i National Marine Sanctuary  
Foundation**

Amalia Mueller  
**Hawai'i Island Board Member,  
Hawai'i National Marine Sanctuary  
Foundation  
Vice President of Programs,  
Friends of the Library - Waikoloa Region**

Jerrod Kowalski  
**General Manager, Aqua Lung Pacific (Kaua'i)**

Mark Deakos, PhD  
**Executive Director, Hawai'i Association for  
Marine Education and Research, Inc.**

Marjorie Ziegler  
**Executive Director,  
Conservation Council for Hawai'i**

Solomon Pili Kaho'ohalahala  
**Kupa 'āina o Lāna'i**

Robin Newbold  
**Chair, Maui Nui Marine Resources Council**

John Parks  
**Owner, Marine Management Solutions LLC**

David Sakoda  
**Recreational Spearfisherman (O'ahu)**

Tova Callender  
**West Maui Watershed and Coastal  
Management Coordinator**

Gregg Levine, DVM  
**NOAA Contract Marine Mammal Veterinarian  
Hawai'i**

Dr. Louis M. Herman  
**Emeritus Professor, University of Hawai'i  
President, The Dolphin Institute**

Michelle Abrams Schneider  
**CFO, Schneider Aviation O'ahu**

George Thompson  
**Owner, Fathom Five Divers (Kaua'i)**

Maka'ala Kaaumoana  
**Executive Director, Hanalei Watershed Hui  
Vice Chair, Hui Maka'ainana o Makana**

Jay Carpio  
**Executive Director, Wailuku Community  
Managed Makai Area  
Fisherman (Maui)**

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
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**Cc:** [swbatzer@hawaii.edu](mailto:swbatzer@hawaii.edu)  
**Subject:** Submitted testimony for SB1165 on Feb 6, 2015 14:50PM  
**Date:** Thursday, February 05, 2015 10:32:49 AM  
**Attachments:** [SB 1165 Re HIHWNS 2015.doc](#)

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**SB1165**

Submitted on: 2/5/2015

Testimony for WTL/ENE on Feb 6, 2015 14:50PM in Conference Room 224

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Stephanie Batzer    | Individual          | Support                   | No                        |

Comments:

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February 5, 2014

TO: Senator Mike Gabbard, Chair Senate Energy and Environment Committee  
Senator Josh Green, Vice Chair  
Senator Sam Slom  
Senator Les Ihara Jr.  
Senator Laura H. Thielen, Chair Senate Water and Land Committee  
Senator Brickwood Galuteria, Vice Chair  
Senator Gil Riviere  
Senator Russell E. Ruderman  
Senator Maile S.L. Shimabukuro

February 6, 2015, 2:50 p.m. Room 224

FROM: Stephanie W. Batzer

RE: SB 1165 Relating to the Management of Ocean Resources – **STRONG SUPPORT**

Senator Mike Gabbard, Chair; Senator Josh Green M.D., Vice Chair; members of the Senate Energy and Environment Committee; Senator Laura H. Thielen, Chair; Senator Brickwood Galuteria, Vice Chair; and members of the Senate Water and Land Committee, my name is Stephanie Batzer. I am a JD candidate at the William S. Richardson School of Law, a Master Scuba Diver Trainer, and have been a Sanctuary Ocean Count Site Leader for the Hawaiian Islands Humpback Whale National Marine Sanctuary for the past nine years. I have had the great fortune to travel and live across the globe during the course of my adult life, finally settling in this great state for the past 17 years. I embrace the aquatic diversity of our islands, and have been a strong advocate for the Sanctuary for the past 16 years. The Sanctuary is near and dear to me, and I have nearly 1000 dives in its waters. I consider it my privilege to conduct the Ocean Counts in January, February and March each year, educating the people of Hawai‘i, and its visitors on our winter visitors. **I strongly support legislative efforts to allocate general funds for the State co-manager position of the Hawaiian Islands Whale National Marine Sanctuary** (Sanctuary), as well as the Sanctuary’s operations.

I strongly support this bill for the following reasons:

- The Sanctuary is one of the world’s most important humpback whale habitats, hosting over 10,000 endangered humpbacks annually.
- Humpback whales are a huge contribution to the Hawaiian economy, drawing thousands of visitors annually. Local businesses benefit largely thanks to these visitors, and our schools and universities also benefit from the Sanctuary’s education and outreach program.

- The Sanctuary has been co-managed by the State of Hawai‘i and the National Oceanic and Atmospheric Agency since 1998. While the federal government has funded the co-manager position during this time, that support will end in July 2015.
- This spring, the federal government will propose the Sanctuary’s scope to the management of all natural and cultural resources in the Sanctuary’s boundaries, which is being expanded to overlay 30% of Hawaiian waters. The Sanctuary co-manager position is critical to the success of an increased Sanctuary mission.
- The State co-manager has a strong State supporter, working with a wide range of partners – our communities, fishermen, community advocates, tour operators, cultural practitioners, universities, agencies and our keiki – to address important, complex issues related to the Sanctuary and our marine protected species.
- Social work provides critical services in prevention, intervention, and treatment to a broad spectrum of clientele.
- Consumer Protection: Requiring continuing education courses for social workers who are renewing their licenses will give assurance to Hawaii's consumers that social workers are current with the latest developments in their field.

We cannot afford to lose the one position responsible for co-managing our natural resources. I strongly urge your favorable consideration of SB 1165, and request that you allocate general funds for the State co-manager position and Sanctuary operations.

Thank you for this opportunity to testify.

Stephanie W. Batzer, MSW

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**Subject:** Submitted testimony for SB1165 on Feb 6, 2015 14:50PM  
**Date:** Thursday, February 05, 2015 10:22:50 AM

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**SB1165**

Submitted on: 2/5/2015

Testimony for WTL/ENE on Feb 6, 2015 14:50PM in Conference Room 224

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Tim Tybuszewski     | Individual          | Support                   | No                        |

Comments: Having a State representative co-managing the Hawaiian Island Humpback Whale Marine Sanctuary is crucial to ensure that the citizens of Hawaii are represented in the management of the sanctuary. With the potential expansion of the sanctuary to include a much larger group of species beyond the Humpback whale it is even more vital now than ever.

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Cc: [tovacallender@gmail.com](mailto:tovacallender@gmail.com)  
Subject: Submitted testimony for SB1165 on Feb 6, 2015 14:50PM  
Date: Wednesday, February 04, 2015 10:14:22 AM

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**SB1165**

Submitted on: 2/4/2015

Testimony for WTL/ENE on Feb 6, 2015 14:50PM in Conference Room 224

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

Comments: Re: Strong support for SB 1165] • I am Tova Callender, a resident of Kihei Maui, and coordinator for the West Maui Ridge to Reef Initiative • I strongly support legislative efforts to allocate general funds for the State Co-Manager position of the Hawaiian Islands Humpback Whale National Marine Sanctuary (Sanctuary), as well as the Sanctuary's operations. • The Sanctuary is an important partner in achieving our goals for better ocean health. Many local nonprofits, conservation organizations, schools and universities including many of the efforts I am involved with also rely on the Sanctuary for its outreach and education programs. • This is a critical time. In spring 2015, the federal government will propose shifting the Sanctuary's scope from management of humpback whales to management of all natural and cultural resources in its boundaries. In addition, the proposal will expand Sanctuary boundaries to overlay 30% of State waters (app. 1,000 square miles). Now, more than ever, the State of Hawaii needs a Sanctuary co-manager to ensure that the interests of the State and its communities are represented. • The State Co-Manager has been a consistent voice for the State, for our communities, and for our resources, working closely with a range of partners—fishermen, community advocates, tour operators, cultural practitioners, universities, agencies, and keiki—to address complex issues related to the Sanctuary, as well as Hawaiian monk seals, sea turtles, and other marine protected species. • We need to ensure that the state and Hawaii communities do not lose the one position responsible for co-managing its natural resources. • Please allocate general funds for the State Co-Manager position and Sanctuary operations. Thank you, Tova Callender

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**Cc:** [ritte@hotmai.com](mailto:ritte@hotmai.com)  
**Subject:** Submitted testimony for SB1165 on Feb 6, 2015 14:50PM  
**Date:** Tuesday, February 03, 2015 5:07:51 PM

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**SB1165**

Submitted on: 2/3/2015

Testimony for WTL/ENE on Feb 6, 2015 14:50PM in Conference Room 224

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Walter Ritte        | Individual          | Support                   | No                        |

Comments: Our natural resources are in dire shape which has a negative impact on our constitutional (Art. 12 Sec. 7) traditional Hawaiian rights of access and gathering of these resources. It is imperative that we seek as many tools, rules and regulations to better manage these resources, from all branches of our government. Now that the Whale Sanctuary will become an ecosystem based Sanctuary, we will now have County State and Federal tools to help manage our depleting resources. We see this Federal and State partnership as vital to the protection and enhancement of the Hawaiian Culture and the longevity of our natural resources for our future generations.

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