# GM 617

DAVID Y. IGE GOVERNOR

SCOTT GLENN DIRECTOR (808) 586-4185

Testimony of SCOTT GLENN, Director

#### before the

#### SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Monday, April 3, 2017 1:15 PM State Capitol, Conference Room 224

#### in SUPPORT of

#### **GOVERNOR'S MESSAGE 617** RELATING TO THE NOMINATION OF ROBIN KAYE TO THE ENVIRONMENTAL COUNCIL

Chair Gabbard, Vice Chair Riviere, and Members of the Senate Committee on Agriculture and Environment,

The Office of Environmental Quality Control (OEQC) administers Hawai'i Revised Statutes (HRS) Chapter 343, Environmental Impact Statements (EIS). The purpose of the EIS law is to "establish a system of environmental review which ensures that environmental concerns are given appropriate consideration in decision making along with economic and technical considerations" (HRS § 343-1). Additionally, the OEQC serves "the Governor in an advisory capacity on all matters relating to environmental quality control," as directed in HRS § 341-3.

The Environmental Council ("Council") is established in HRS § 341-3, which also directs membership "to assure a broad and balanced representation of educational, business, and environmentally pertinent disciplines and professions, such as the natural and social sciences, the humanities, architecture, engineering, environmental consulting, public health, and planning; educational and research institutions with environmental competence; agriculture, real estate, visitor industry, construction, media, and voluntary community and environmental groups."

The functions of the Council are to serve as a liaison between the OEQC Director and the general public and to make recommendations concerning ecology and environmental quality. The Council monitors the progress of state, county, and federal agencies in achieving the State's environmental goals and policies. It issues an annual report with recommendations for improvement to the Governor, the Legislature, and the general public (HRS § 341-6). Finally, the Council promulgates administrative rules for implementing Chapter 343, HRS (HRS § 343-6).

With respect to these functions, duties, and powers, and in consideration of Mr. Kaye's experience as demonstrated on his resume and participation to-date as an interim appointee, OEQC supports the nomination of Mr. Kaye to the Council.

Thank you for the opportunity to testify on this measure.



Testimony Submitted to the Senate Committee on Agriculture and Environment By the Conservation Council for Hawai'i Hearing: Monday, April 3, 2017, 1:15 pm Room 224

Support for GM 617 Submitting for consideration and confirmation to the Environmental Council, Gubernatorial Nominee, ROBIN KAYE, for a term to expire 06-30-2020.

Chair Gabbard, Vice Chair Riviere, and Members of the Committee,

Aloha. The Conservation Council for Hawai'i supports GM 617, Governor Ige's nomination of Robin Kaye to serve on the Environmental Council.

I have known Robin for the past 7 years. He served on the Board of Directors of the Conservation Council for Hawai'i and worked very hard to strengthen CCH and our commitment to protecting the special island of Lana'i. I consider him a friend and valued colleague.

Robin is knowledgeable about natural resources and local culture on Lana'i, as well as environmental protection statutes and proceedings in Hawai'i. He is active in community-based efforts to restore and protect the land and nearshore waters of his island home, and he is hardworking, kind, and well respected.

I served on the Environmental Council for 3 years and am familiar with the *kuleana* and work of the council. Robin would serve the people of Hawai'i well in his capacity as a council member. Please give him your support and vote of confidence.

Mahalo nui loa for the opportunity to testify.

Marjorie Ziegler

Marjorie Ziegler

#### COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Senator Mike Gabbard, Chair Senator Gil Riviere, Vice Chair

#### NOTICE OF HEARING

DATE:

Monday, April 3, 2017

TIME:

1:15 p.m.

PLACE:

Conference Room 224

#### **TESTIMONY OF JAMES E. COON IN SUPPORT OF GM 617**

Aloha Chair Senator Gabbard, Vice Chair Senator Riviere.

My name is James E. Coon and I am testifying as both an individual and a member of the Marine and Coastal Zone Advocacy Council.

I have known Mr. Robin Kaye for over forty years. I have had the pleasure to serve with him working on environmental issues. He is a man of integrity and commitment to protecting and preserving the environment. Robin is also very involved in the community of Lanai. He is a respected voice in the community and has kept himself autonomous from the ownership of the island.

I believe Robin Kaye will serve the purpose of the Environmental Council well and ask that you confirm him to this position.

Sincerely,

James E. Coon

808-878-6176

Captcoon@gmail.com



## Marine and Coastal Zone Advocacy Council Ke Kahu O Na Kumu Wai

**MACZAC Members:** 

<u>Hawaii Island</u> Philip Fernandez Robert Nishimoto

<u>Kauai</u> Angela Anderson Robert Kaden

<u>Lanai</u> Nicholas Palumbo, II

Maui Donna L. Brown Rich Brunner James E. Coon

<u>Molokai</u> Lori Buchanan

<u>Oahu</u> Dawn Hegger Susan A. Sakai A. Kimbal Thompson Senate Committee on Agriculture and Environment
Hearing on Gubernatorial Nominee
Robin Kaye
to the Environmental Council

Hearing: Monday, April 3, 2017, 1:15 pm, Room 224

Testimony IN SUPPORT for GM617
Submitted by Kimbal Thompson, Chair
Marine and Coastal Zone Advocacy Council (MACZAC)

Dear Senator Gabbard and Members of the Senate Committee on Agriculture and Environment:

We are writing in support of Governor Ige's nomination (GM617) of Robin Kaye to the Environmental Council. As chair of the Marine and Coastal Zone Advocacy Council, I represent MACZAC in recommending that you approve this nomination. Established by statute, MACZAC advises the Coastal Zone Management Program in the State Office of Planning and advocates on behalf of the public on ocean and coastal issues. We represent six islands and a wide range of interests and expertise.

MACZAC strongly supports the appointment of Robin Kaye to the State Environmental Council. From 2008 to 2016, Robin was the Lanai representative on MACZAC. All of us have valued Robin's participation and appreciated the leadership shown during his tenure as chair. He brings a depth of knowledge of environmental laws, regulations, and procedures, as well as a commitment to environmental protection. Furthermore, Robin has played a key role in facilitating community involvement in planning for Lanai's future.

Robin has worked in a cohesive, collaborative manner with his fellow MACZAC members and with Office of Planning staff. He has the skills required to help assure that the Environmental Council deliberates and makes decisions in a way that is respectful, efficient, and transparent.

We support Robin Kaye's nomination without any reservation. Thank you for your consideration.

Sincerely,

Kimbal Thompson, Chair Marine and Coastal Zone Advocacy Council

#### Testimony Submitted to the Senate Committee on Agriculture and Environment By: Marine and Coastal Zone Council (MACZAC) Hearing: Monday, April 3, 2017, 1:15 pm; Room 224

**Support for GM 617** — Submitting for consideration and confirmation to the Environmental Council, Gubernatorial Nominee, ROBIN KAYE

Dear Chair Gabbard, Vice Chair Riviere, and Members of the Committee:

I am writing in strong support of Mr. Robin Kaye, Governor Ige's nomination (GM617) to the Environmental Council. I have known Robin for many years, and have worked with him on a variety of environmental and community issues. I have always known him to be an active, knowledgeable participant in his advocacy efforts, bringing a strong voice for Lāna'i and its environment to both Countywide and Statewide issues. He is an outstanding listener, a convener of disparate voices, an experienced community leader, and a knowledgeable resource on environmental issues.

It is critical to have the perspective of a neighbor island resident, especially someone like Robin, a long-time resident, with an outstanding understanding and experience with environmental issues. Some examples follow of his community involvement and experience:

In 1974, Robin and his wife moved to Lāna'i to document a threatened lifestyle as the island was facing a transition from a pineapple plantation economy to resort development. Robin moved back to Lāna'i in 2005. He served as spokesperson for Friends of Lāna'i, and provided consulting services to the Lāna'i Youth Center, Lāna'i Culture and Heritage Center, Coalition for a Drug Free Lāna'i, and the Lāna'i Community Health Center. He has served on the Hulopoe Park Beach Council and the Maui County Commission on Arts and Culture. Robin recently completed two terms as the Lāna'i representative for the Marine and Coastal Zone Advocacy Council (MACZAC). He is a co-founding participant in the Lāna'i Limu Restoration Project. In addition, four years ago, along with two other members of the Lāna'i community, Robin created a new nonprofit called Lāna'i Changes (LC). LC is a community development corporation, dedicated to providing diversity in the economic future of Lāna'i. He is a member of the Lāna'i Changes Board of Directors.

Surely a person with these qualities, skills and experience would serve the charge and principles of the Environmental Council with dignity and respect. Robin would make a valuable contribution to the deliberations of the State's Environmental Council, and I support his nomination without any reservation.

Mahalo, Salamat for the opportunity to provide testimony.

Diana M V Shaw, PhD, MPH, MBA, FACMPE

P. O. Box 631814

Lanai City, HI 96763

Kevin K.J. Chang Attorney at Law 47-740 Hui Kelu St. #6, Kāneʻohe, HI. 96744

17 March 2017

To: Senate Committee on Agriculture and Environment,

Re: Letter of Support for the Nomination of Robin Kaye to the Environmental Council (GM 617) for the Senate Committee on Agriculture and Environment hearing, April 3, 2017 at 1:15pm in Hawai'i Legislature Room 224.

Dear Senator Gabbard and members of the Senate Committee on Agriculture and Environment:

I am pleased to support the nomination of my friend and colleague Robin Kaye (GM 617) for our State's Environmental Council (Council). This letter offers my thoughts on his character and my knowledge and belief in his capacity as a member of the Council.

I am a recovering attorney, whose current bulk of work and passion is poured into my service as the Executive Director of KUA, or Kua\( \mathbb{B}\) ina Ulu 'Auamo. KUA works to empower communities to improve their quality of life through caring for their environmental heritage together.

KUA employs a community-driven approach that supports a network of more than 31 mālama 'āina community groups collectively referred to as E Alu Pū ("move forward together"), 38 fishpond projects and practitioners called the Hui Mālama Loko I'a, and a new and growing hui of Limu practitioners from across our state. Participants in the networks we facilitate believe caring for the resources of Hawai'i -the very act of stewardship- is a part and parcel to citizenship. Robin is one of these inspirational people.

I have known Robin for the past five years, as a long-time resident of Lāna'i and enthusiastic supporter of one of the E Alu Pū network's esteemed elders (Alan Kaiaokamalie; RIP). I have worked with Robin and witnessed his work on a variety of environmental and community issues even before we had worked together. In fact, Robin was on the hiring committee that eventually tasked myself and my co-workers with the development of KUA as an initiative of the E Alu Pū Network. Though he is no longer engaged in the network the legacy of his work remains.

Robin is a thoughtful, active, and knowledgeable citizen in his advocacy efforts. He brings a strong, necessary and important voice for Lāna'i and its environment to both Countywide and Statewide issues. He is a good listener, a convener of disparate voices, an experienced community leader, and a knowledgeable resource on environmental issues.

Robin will make a valuable contribution to the deliberations of the State's Environmental Council, and I support his nomination without any reservation.

Thank you for this opportunity to express my support for this good man.

Sincerely,

Kevin K.J. Chang

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 20, 2017 7:28 PM

**To:** AEN Testimony

**Cc:** alaulapua@hotmail.com

**Subject:** \*Submitted testimony for GM617 on Apr 3, 2017 13:15PM\*

**GM617** 

Submitted on: 3/20/2017

Testimony for AEN on Apr 3, 2017 13:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing	
Dawn Hegger- Nordblom	Individual	Support	No	

#### Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Council Chair Mike White

Vice-Chair Robert Carroll

Presiding Officer Pro Tempore Stacy Crivello

Councilmembers
Alika Atay
Elle Cochran
Don S. Guzman
Riki Hokama
Kelly T. King
Yuki Lei K. Sugimura



#### COUNTY COUNCIL

COUNTY OF MAUI 200 S. HIGH STREET WAILUKU, MAUI, HAWAII 96793 www.MauiCounty.us

March 20, 2017

Senator Mike Gabbard Chairman, Committee on Agriculture and Environment Hawaii State Senate 415 South Beretania Street Honolulu, Hawaii 96813

Dear Senator Mike Gabbard and members of the Senate Committee on Agriculture and Environment:

SUBJECT: Nomination of Robin Kaye to the Environmental Council

I am writing in support of Governor Ige's nomination (GM617) of Robin Kaye to the Environmental Council. I have known Robin for many years, and have worked with him on a variety of environmental and community issues. He has been a strong advocate for the Kupuna Care program on Lana'i, and he continues to help improve health care for seniors on the island. He has also been a tireless supporter and resource for entrepreneurial growth on Lana'i.

I have always known him to be an active and knowledgeable participant in his advocacy efforts, bringing a strong voice for Lana'i and its environment to both Countywide and Statewide issues. He is a good listener, a convener of disparate voices, an experienced community leader, and a knowledgeable resource on environmental issues.

He would make a valuable contribution to the deliberations of the State's Environmental Council, and I support his nomination without any reservation.

Sincerely,

Riki Hokama Councilmember

els Hohama

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 21, 2017 4:38 PM

**To:** AEN Testimony

Cc: BIANCA@KAHEA.ORG

**Subject:** Submitted testimony for GM617 on Apr 3, 2017 13:15PM

**GM617** 

Submitted on: 3/21/2017

Testimony for AEN on Apr 3, 2017 13:15PM in Conference Room 224

Submitted By	Organization	<b>Testifier Position</b>	Present at Hearing
Bianca Isaki Individual		Support	No

Comments: Aloha Senators, I strongly support the nomination of Robin Kaye to our state Environmental Council. I've served on the board of Conservation Council for Hawai'i with Kaye in previous years and have continued to enjoy his collegiality and expertise in environmental issues. He is a thoughtful decision maker and a thorough planner on organizational issues. Mahalo for considering my testimony. Bianca Isaki, PhD, Esq.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

**From:** mailinglist@capitol.hawaii.gov

Sent: Wednesday, March 22, 2017 10:01 AM

To: AEN Testimony

**Cc:** barbarageorge40@yahoo.com

**Subject:** Submitted testimony for GM617 on Apr 3, 2017 13:15PM

**GM617** 

Submitted on: 3/22/2017

Testimony for AEN on Apr 3, 2017 13:15PM in Conference Room 224

Submitted By	Organization	<b>Testifier Position</b>	Present at Hearing
Barbara L. George Individual		Support	No

Comments: SUPPORT Robin Kaye.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.



From: mailinglist@capitol.hawaii.gov

Sent: Wednesday, March 22, 2017 8:23 AM

**To:** AEN Testimony

**Cc:** rfurst808@gmail.com

**Subject:** \*Submitted testimony for GM617 on Apr 3, 2017 13:15PM\*

**GM617** 

Submitted on: 3/22/2017

Testimony for AEN on Apr 3, 2017 13:15PM in Conference Room 224

Submitted By	Organization	<b>Testifier Position</b>	Present at Hearing
Richard Furst Individual		Support	No

#### Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 21, 2017 8:51 PM

**To:** AEN Testimony

**Cc:** begoniabarry@gmail.com

**Subject:** \*Submitted testimony for GM617 on Apr 3, 2017 13:15PM\*

**GM617** 

Submitted on: 3/21/2017

Testimony for AEN on Apr 3, 2017 13:15PM in Conference Room 224

Submitted By	Organization	<b>Testifier Position</b>	Present at Hearing
Barbara Barry Individual		Support	No

#### Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From: mailinglist@capitol.hawaii.gov

Sent: Thursday, March 23, 2017 1:51 PM

To: AEN Testimony
Cc: lbc@hawaiiantel.net

**Subject:** \*Submitted testimony for GM617 on Apr 3, 2017 13:15PM\*

**GM617** 

Submitted on: 3/23/2017

Testimony for AEN on Apr 3, 2017 13:15PM in Conference Room 224

Submitted By	Organization	<b>Testifier Position</b>	Present at Hearing	
Lois Crozer Individual		Support	No	

#### Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

My name is Jeff Ono. Currently, I am a partner in the law firm Watanabe Ing LLP. From January, 2011 to August, 2016, I was the Consumer Advocate, Department of Commerce and Consumer Affairs, state of Hawaii.

I am submitting this testimony in support of Robin Kaye's nomination to the Environmental Council. I got to know Robin during my tenure as the Consumer Advocate. I consider Robin (and his wife Sally) to have been an important part of my education in my role as Consumer Advocate. Robin is a community leader. He is the active in numerous community organizations, including the Friends of Lana'i. He attends Lana'i community planning meetings and all Public Utility Commission public hearings held on Lana'i. Through the Friends of Lana'I, Robin was an active participant in the NextEra/HECO merger docket. Robin is an advocate for the protection of the environment and cultural and archaeological sites throughout our state.

In my professional dealings with Robin, I found him to be a passionate advocate in espousing his beliefs, but at the same time reasonable and empathetic in his approach to opposing views. Robin has the desire and capacity to learn new things. He will be a tremendous addition to the Environmental Council. He will bring a unique perspective to all matters that come before the Council.

It is without hesitation that I support Robin Kaye's nomination to the State of Hawaii's Environmental Council.

Thank you for allowing me to submit this testimony.

My contact information is:

(808) 544-8376

jono@wik.com

#### Colette Y. Machado PO Box 142 Kaunakakai, HI 96748

April 3, 2016

GM617, Submitting for consideration and confirmation to the Environmental Council, Gubernatorial Nominee, ROBIN KAYE, for a term to expire 06-30-2020

Senate Committee on Agriculture and Environment Monday, April 3, 2017 – 1:15 pm Conference Room 224

Chairman Mike Gabbard, Vice Chair Gil Riviere, and members of the Senate Committee on Agriculture and Environment:

I write in strong support of Robin Kaye's nomination to the Environmental Council. While I submit this testimony in my personal capacity, I am the elected Office of Hawaiian Affairs Trustee for the islands of Moloka'i and Lāna'i, and in that role, I have known and worked with Robin for many years.

Through these interactions, I have witnessed firsthand Robin's ongoing commitment to the environment, and to bringing a voice for Lāna'i to county and statewide issues. In this advocacy, I have always known Robin to be an active and knowledgeable leader. He also brings a vast experience of work in the arts and nonprofit sectors. Robin serves his community through his work with several local organizations, which include Friends of Lāna'i, Lāna'i Culture and Heritage Center, Coalition for a Drug Free Lāna'i, and the Lāna'i Community Health Center. He has provided an array of support to these causes, which includes serving as a spokesperson, implementing grants, long-range planning, and leading searches for professional staff. He has exceptional research skills, is a good listener, and an experienced community leader.

In all of this work, Robin has demonstrated that he recognizes the importance of representing the people, and I know him to be thoughtful in decision making. He has been a strong advocate for Lāna'i, and I know he will bring important Lāna'i representation to this Council.

Robin will be extremely valuable member of the State's Environmental Council, and I support his nomination without reservation. Thank you for your time and careful consideration of Robin Kaye's nomination, and mahalo for the opportunity to provide testimony in support.

'O wau nō me ka ha'aha'a,

Colute y. Machado

Colette Y. Machado

#### Donna Wong 1525 Uluhao Street Kailua, Hawai'i 96734

April 3, 2017

#### COMMITTEE ON AGRICULTURE AND ENVIRONMENT Senator Mike Gabbard, Chair Senator Gil Riviere, Vice Chair

#### GM 617 Robin Kaye

Consideration and confirmation to the Environmental Council

Chairs Gabbard and Riviere,

I am pleased to write in support of Governor Ige's nomination of Robin Kaye to the Environmental Council.

I have known and worked with Robin on a variety of environmental and community issues for many years. Both in his role as a strong advocate for his home island of Lana'i and in statewide efforts to protect Hawaii's natural and cultural resources.

Robin is easy to work with, conscientious, a good listener, kind and knowledgeable on county and statewide environmental issues. I know he will be an active, thoughtful and contributing member of the Environmental Council.

I	ask you to	please	support	his	nomination.

Sincerely,

Donna Wong

#### Robin Kaye's response to Senator Gabbard's questions for the Environmental Council nomination hearing

#### (1) Why do you wish to be a member of the Environmental Council?

Serving on the EC would be a great honor, and I thank the Governor for this opportunity, as well as the Senate for reviewing my nomination.

For many years, I have been involved in Hawaii's environmental issues, particularly as they impact the island of Lana'i. Service on the Environmental Council (EC) will provide me with a broader knowledge of the state's environmental issues while simultaneously bringing an awareness of Lana'i's unique environmental issues to a statewide audience. Having worked on many environmental issues particularly as they impact a small, rural island, will help the EC's consideration of statewide environmental policies.

### (2) How do you perceive the role and responsibilities of a member of the Environmental Council?

One of the Environmental Council's primary responsibilities is to serve as a liaison between the OEQC Director and the public on matters concerning ecology and environmental quality. As a member of the EC, my role would be to help provide that "liaison" function, particularly for the residents of Lana'i but as well for all of Hawaii's residents.

In addition, the EC has a responsibility for monitoring the State's environmental progress. My role would be to assist in that monitoring, both from the small, rural island perspective but as well from a broader, Statewide vision.

(3) Given your understanding of the role and responsibilities of a member of the Environmental Council, why do you believe that you are qualified for the position? Please include a brief statement of your skills, expertise, or knowledge that would aid in your decision-making ability as a member of the Environmental Council.

I have been personally — and deeply — involved with several environmental organizations in our State:

- I served two terms as the Lana'i representative on the Marine and Coastal Zone Advocacy Council (MACZAC)
- One term on the Board of the Conservation Council for Hawaii
- Several years as the Lana'i representative to E Alu Pu; and
- Was a co-founder of the Lana'i Limu Restoration Project.

Involvements such as these have taught me much about the inestimable value of community involvement in environmental issues. They also taught me much about the multitude of environmental challenges facing our state. It is my goal — and responsibility — to bring this knowledge to my work on the EC.

#### (4) What do you hope to accomplish during your term of service?

My goals would be, as one of EC's primary responsibilities, to exert a positive influence in monitoring the progress of the State toward meeting Hawai'i's Environmental Policy, codified in Hawai'i Revised Statutes (HRS) Chapter 344, and simultaneously to better educate the residents of our State regarding these policies.

## (5) Name three qualities that best describe you and that would make you stand out. How would these qualities benefit the Environmental Council?

- I am a good listener, which will help me convey community input into the State's environmental progress.
- I am an experienced meeting facilitator, which will aid the EC during its monthly meetings.
- Once knowledgeable about an issue, I am not hesitant to speak out on that issue.

It is my hope that those qualities would help the EC serve its major roles.

### (6) Name one previous experience that would make you stand out. How would this benefit the Environmental Council?

As a co-founder of the Lana'i Limu Restoration Project (LLRP), I learned first-hand the many challenges facing Hawaii's communities in managing their environments. A small project, the LLRP both benefitted from a variety of community assistance while struggling with governmental and land-owner challenges. Working through these was educational, and will provide me with a better understanding of how large, seemingly intractable challenges can be approached — and solved — at the community level.

## (7) Can you foresee any possible conflicts of interests that could arise during your service on the Environmental Council? How would you overcome any possible conflicts of interest?

None foreseen, but should any arise, I would inform the Office of Environmental Quality (OEQC) and Chair of the EC, and recuse myself from any relevant discussion and/or vote.