

DAVID Y. IGE
GOVERNOR OF
HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

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**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the Senate Committee on
WATER AND LAND**

**Wednesday, April 12, 2017
2:45 PM
State Capitol, Conference Room 224**

**In consideration of
GOVERNOR'S MESSAGE 668
SUBMITTING FOR CONSIDERATION AND CONFIRMATION TO THE
LEGACY LAND CONSERVATION COMMISSION, GUBERNATORIAL NOMINEE,
WENDY WILTSE, FOR A TERM TO EXPIRE JUNE 30, 2021**

The Department of Land and Natural Resources (Department) strongly supports Governor's Message (GM) 668, nominating Ms. Wendy Wiltse to the Legacy Land Conservation Commission (Commission) for a term to expire June 30, 2021.

Ms. Wendy Wiltse resides in Honolulu and possesses scientific qualifications as evidenced by advanced degrees in Marine Science and Zoology, thus fulfilling the Commission membership requirements of Sections 173A-2.4(a) and -2.4(a)(1), Hawai'i Revised Statutes.

Through her strong professional background in environmental regulation and her prior years of service on the Commission, Ms. Wiltse holds a keen understanding of the laws, rules, criteria, and priorities that govern and guide the Commission's work. During a lengthy career with the United States Environmental Protection Agency, Ms. Wiltse engaged with landscapes, communities, and conservation concerns across the entire state. She helped government agencies and nonprofit organizations to assess resource conditions and threats, and to develop and implement partnerships and management practices for protecting, restoring, and enhancing our coral reefs, marine mammals, inland waterbodies, and priority watersheds.

Ms. Wiltse's vast experience with grantmaking is a valuable asset for interacting with applicants that seek funding for land acquisition, Commission staff in the Department, and fellow commissioners that are reviewing and ranking the funding applications. Ms. Wiltse contributes actively and passionately to the success of the Legacy Land Conservation Commission.

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

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DEPUTY DIRECTOR - WATER

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BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

The Department strongly supports GM 668 and recommends that the Senate confirm the appointment of Ms. Wiltse for a four-year term on to the Legacy Land Conservation Commission.

TO: COMMITTEE ON WATER, LAND, AND AGRICULTURE

Honorable Chair, Senator Karl Rhoads

SUBJECT: In support of GM 668 – Nomination of Dr. Wendy Wiltse to Legacy Lands Conservation Commission

Wednesday, April 12, 2016

2:45 p.m.

Conference Room 224

State Capitol

415 South Beretania Street

Honolulu, Hawaii

Written Statement for Legacy Lands Conservation Commission

By Wendy Wiltse, Ph.D.

April 6, 2017

1. My understanding of the role and jurisdiction of the Legacy Land Conservation Commission (LLCC).

I have had the privilege of serving on the LLCC for the last 2 years as an interim member and it has been a fulfilling experience. This opportunity has clarified for me the role and jurisdiction of the LLCC and its members. The LLCC's purpose is to acquire private lands, in partnership with Land Trusts, conservation organizations, and government agencies, for the purpose of protecting valuable lands for public trust purposes. The LLCC is advisory. The Commission recommends projects to the Board of Land and Natural Resources (BLNR) for eventual funding. The Legislature and Governor must then approve these recommendations before they are funded.

2. My perception of the role and responsibilities of a Commission member?

The commission members review proposals submitted to DLNR for LLCC funding. In addition to reviewing proposals, we confer with the applicants, conduct site visits to see firsthand the value and potential of the land, and we hear testimony from cultural practitioners and concerned citizens. After gaining familiarity with the proposals, sites, and the applicants, we evaluate the applications against the criteria and requirements described in the State Rules, then make recommendations to the BLNR.

Although we do not directly fund land management, the LLCC considers the proposed management and protection measures for the land and we make recommendations for the oversight of conservation easements.

An important aspect of the Legacy Lands program is that we leverage State funds for land acquisition. Nearly all of our acquisitions are made in partnership with land trusts, County governments, federal agencies, and/or private sources. The State funds provide but a portion of the purchase prices, but often mean security for other entities to commit funds too.

3. Why do you wish to continue serving as a member of the Legacy Lands Conservation Commission

I am very proud of my State for sponsoring the Legacy Lands Conservation Program. I believe in its mission to acquire, protect, and manage private lands for public trust purposes. This is one of the most effective actions we can take to preserve the aesthetic, cultural, ecological, and agricultural value of Hawaii. I retired after >30 years of service as a federal employee (>20 yrs in Hawaii) and I want to be useful in retirement. I want to put my years of knowledge and experience to constructive use, to make a contribution to the 'aina, and the LLCC is a rich platform for my continued service.

Indeed, I have so enjoyed my service to the DLNR through the LLCC that I am interested in volunteering for other State Commissions.

4. Why I believe I am qualified for Commission member with scientific qualifications as evidenced by an academic degree in Zoology.

I have a long career in environmental science and protection. My Ph.D. is in Zoology with concentration in marine ecology. In my 24 years of work in Hawaii, I have worked extensively on connections between watersheds and the adjacent streams, coastal waters and coral reefs...I have cultivated a ridge to reef/ahupuaa perspective.

I retired March 2017 from the US Environmental Protection Agency (EPA), where my recent responsibilities were to oversee wetland and coral reef protection efforts. This work involved meeting with project proponents and making recommendations to lessen impacts, commenting on US Army Corps of Engineers and Dept. of Health permits, and assessing the success of any mitigation efforts. I worked with EPA's authorities, and partnered with state/County government and landowners to develop water quality protection programs to improve conditions for coral reefs in near shore waters. I also conducted compliance inspections and participated in enforcement actions under the Clean Water Act.

In my EPA career I reviewed many grant applications and made recommendations for funding. This aspect of the LLCC is very familiar to me. I have learned to document the selection criteria and my ratings so that I have never had my selections challenged. I worked for a regulatory agency so I am also very familiar with the interpretation, application, and enforcement of government rules and regulations. I am committed to fairly and accurately implementing the laws and rules that apply to LLCC.

In my professional and volunteer life, I've worked on a wide range of environmental programs including research, pollution control, water conservation, habitat restoration, watershed protection, voluntary partnerships, algae blooms, erosion control, enforcement, and grant funding. Land acquisition, with protection and management for public benefit, is another effective tool that we need to promote in Hawaii, and I appreciate the opportunity to be an advisor on the the LLCC.

I have good familiarity with all of the main Hawaiian Islands. I've lived on Maui and Oahu and worked extensively on Molokai, Kauai and Big Island. I am familiar with environmental threats and concerns across the state.

5. What are some of your accomplishments as member of the LLCC and what would you like to accomplish in additional term?

After participating in the 2015 and 2016 funding recommendations by the LLCC, I can comfortably say that I have helped to acquire and protect thousands of acres of valuable land in Hawaii. I was the lead both years for the Turtle Bay acquisition of 53 acres and conservation easement of ~400 acres. The Commission is obligated to fund the Turtle Bay acquisition for \$1.5M each year, which takes a significant bite from our allocation. It's always a controversial item for the Commission because it's an obligation. But I support this outstanding acquisition that now provides public access to > 5 miles of coastal trails and protection of Kawela Bay from further development. A real win for Oahu.

The sustainable future of Hawaii's environment and economy can best be insured if we set aside some of our lands across a range of habitats as "resting areas" where threats are lessened. These "resting areas" protect critical drinking water supplies, serve as natural buffers around developed areas, provide habitat and corridors for native plants and valuable wildlife, and protect sensitive waters such as streams, wetlands, and coastal waters. They help to secure ecological services in the face of climate change. We have the opportunity to acquire lands of cultural significance and unique ecological value before they are degraded or lost. I hope to help the LLCC make a difference for the future of Hawaii before all the important lands are gone, and before they are too costly to protect.

6. What issues has the LLCC handled well in the past? What issues should the LLCC address in future?

I believe the Commission does an excellent job of evaluating and ranking proposals for land acquisition. To my knowledge, all of our recommendations have been approved by the State in 2015-16. Commission members are dedicated and represent diverse interests.

In my mind, the biggest challenge for the Legacy Lands Commission is the rising cost of land acquisition in Hawaii and the challenge of putting together partnerships to fund acquisition. In many cases, the LLCC has more qualified applicants than funds available. Often these partnerships fail for lack of commitment of State funds. I would like to see the legislature raise the funding level for Legacy Lands to match the existing funding ceiling.

7. Are there any possible conflicts of interest involving you?

I really do not anticipate any conflicts of interest. In the 2014 -16 LLCC funding cycles, I did not identify any conflicts. If a conflict did arise, I would explain any connection to my work or my former employers, and abstain from voting on that proposal.

8. Other information regarding my experience and background that should be considered for my nomination.

- Love for the 'aina. I hope this doesn't sound trite but I have to say #1 is my love for the land and water of Hawaii. The last 24 years of my working career have focused on promoting protection, restoration, and wise use of Hawaii's very special land and water resources. I've lived and worked in 10 or more states and none has grabbed my heart, spirit, respect, and love as Hawaii does. This is my home and I want to be useful here and ensure a good future for my state.
- Diplomacy. Working in government for 30+ years, I have become a diplomat. In the federal government, the importance of consensus cannot be overstated. When someone has to make a big

decision -- a costly decision, a significant decision, one that affects a lot of people -- the best way to weigh the options is to ask a wide variety of experts for input, and take the route that has the least risk and the most benefits. I have worked to cultivate the manners of a diplomat, so that I can work with people representing a full range of interests and personalities. I've learned to "play well with others" and to seek compromise solutions that satisfy the most interests. For example, when asked to comment on controversial development projects, I never oppose the development but I always offer recommendations to lessen any adverse impacts. On the LLCC I hope to use my diplomacy to contribute to smooth decision making and defensible recommendations.

- Long-term perspective. After enjoying a long career, I find that I can more easily think and plan with a long-term perspective. I've come to appreciate actions that can endure through time, more than the sexy actions that wither and die without maintenance or a persistent champion. Land acquisition is an enduring action, and appeals to me for that reason. When I look back at my work as Watershed Coordinator on Maui, I see that the County Ordinances we contributed to and the infrastructure we built are still functional 20 years later. The booklets, workshops, trainings, best management practices have not endured and were less impactful in the long term. These may however be important in building support for the more enduring actions.

I have also studied predictions for climate change in Hawaii and know that prolonged drought, more intense sporadic storm events, more likelihood of hurricane hits, a meter of sealevel rise, increasingly acidic oceans, etc. are things we need to consider in our everyday business now. We must build these considerations into our plans and actions for the future, including land acquisitions by LLCC. I am particularly interested in supporting acquisition of lands that contribute to infiltration and protection of water supply, and that buffer streams and coastal waters.

- Watershed perspective. My first (and favorite) job in Hawaii was as Watershed Coordinator in West Maui in the 1990's when noxious algal blooms were closing beaches and causing visitors to complain and leave waterfront accommodations. My job was to work with local stakeholders to find solutions. I talked with everybody I could about the current problems, local history, potential solutions, and I organized advisory groups. By consensus, we established our goal: to improve land and water management in the watershed and reduce sediment and nutrient inputs to coastal waters. In this position I worked with the full range of landowners and stakeholders including elected officials, agricultural plantations, resort managers, cultural practitioners, developers, the Chamber of Commerce, homeowners, environmental activists, reporters, scientists, and state, federal and county staff. I learned to appreciate all these perspectives and work collaboratively toward workable solutions. The Watershed "Owners Manual" or watershed plan that I facilitated is one of my most satisfying accomplishments. We implemented over 75% of the recommendations in the Manual. I developed a deep enduring connection with the land, water and people of West Maui and also gained a wealth of knowledge about Hawaiian water rights, land ownership, agricultural work, the visitor industry, ocean recreation, and watershed hydrology.

In my opinion, the knowledge and skills that I developed provide a strong foundation for the kinds of decisions we make in LLCC. It's useful to consider a proposed property in a landscape perspective, in relation to surrounding land and water resources, and to consider the perspectives of local stakeholders and cultural practitioners. I will draw from my ahupua'a style watershed perspective to see the bigger picture.

Please see attached letters of support

TO: COMMITTEE ON WATER, LAND, AND AGRICULTURE

Honorable Chair, Senator Mike Gabbard and

Honorable Vice Chair Senator Clarence K. Nishihara, Vice Chair

SUBJECT: In support of GM 688

I strongly endorse and recommend **Wendy Wiltse** for the Legacy Land Conservation Commission (LLCC). As an active member of the LLCC, I recognize the benefits and contributions that Ms. Wiltse brings to our decision making.

Wendy and I have worked together both professionally and as volunteers over the past decade. She is an excellent water quality specialist and dedicated to ensuring long-term sustainability of our coral reefs, fisheries and coastal environments through upland management and intervention strategies. When reviewing lands proposed for acquisition or protection, Wendy's insight would be of valuable in determining what watershed management strategies would be most effective and how best to improve water quality.

Wendy brings considerable expertise and background in *ahupua'a* techniques to restore stream, forest, wetland and marine resources.

Wendy has a long history of volunteer activities and we both serve as advisors to the Maui Nui Marine Resource Council, where we have helped develop and review the organization's Maui Coral Reef Recovery Plan. The Council and its Plan received national recognition this past fall from the U.S. Coral Reef Task Force, which praised the Plan's community and watershed-based approach to reef recovery and fisheries management. Wendy played a key role in recommending best practices and nonstructural techniques to improve watershed and marine water quality.

Her in-depth understanding of regulations and the government's role in water quality issues are a tremendous asset to the LLCC and its decision making. For example, she testified at our November 2015 meeting about factors that likely contributed to a fish die off at the time at Wai'opae or "tide pools" on the Island of Hawaii. Her input on the *actual protection* afforded by existing water quality regulations and the State Department of Health enforcement activities helped the LLCC recommend that the County of

Hawaii's request to purchase the property should be funded and supported. The purchase not only helps protect the area's spectacular coral reefs and fisheries, but also guarantees the public has access to, and along, the shoreline that would otherwise be lost if the property was developed.

The State of Hawaii and my fellow Commissioner's would benefit greatly from having Wendy as a member given her water quality and regulatory expertise. I strongly encourage her approval.

As a the Legacy Land Conservation Commissioner, I consider it a great honor and privilege to serve Hawaii on this unique and diverse commission and I would welcome Wendy's contributions.

Please feel free to contact me by mail, phone at 808-344-1595, or by email at Thorneabbott@yahoo.com if you would like to discuss my support for the nomination or if I can be of assistance in any fashion. Thank you for your time and consideration.

Mahalo!

Thorne Abbott

Legacy Land Conservation Commissioner

3993 Maalaea Bay Place,

Wailuku, Maui, HI 96793

Website: www.coastalzone.com

To: Senate Committee on Water, Land, and Agriculture
From: Robin Newbold, Chair, Maui Nui Marine Resource Council and
Member of Natural Area Reserves Commission
Date: February 22, 2016
Re: Dr. Wendy Wiltse Nomination to the Legacy Lands Conservation Commission

I enthusiastically support Dr. Wendy Wiltse for a scientist position on the Legacy Lands Conservation Commission. Wendy, a well-known and highly respected scientist and environmental representative whose life work has been focused on water quality protection and connections between land and

water resources in Hawaii, will bring a watershed/ahupua'a perspective to this position.

I have known Dr. Wiltse for 20 years, stemming from her 1993-97 position with Hawaii Department of Health as West Maui Watershed Coordinator. At that time Wendy worked cooperatively with County and State government, plantation personnel, and the local community to find solutions to nuisance algae problems in West Maui. With local stakeholders she oversaw implementation of erosion controls, sediment retention basins, and sewage improvements to reduce sediment and nutrient loads to coastal waters.

Dr. Wiltse has served as an invaluable advisor to the Maui Nui Marine Resource Council (MNMRC) for the past seven years on both water quality and watershed issues. Currently she is assisting in the development of a Quality Assurance Program Plan (QAPP) required by the DOH for voluntary water quality monitoring efforts to be useful to DOH.

When the MNMRC formed the Coral Reef Recovery Team (MCRT) in 2010 Dr. Wendy enthusiastically agreed to represent the US Environmental Protection. Over 2.5 years this team of experts, fishers, cultural representatives, planners and community folks developed a Coral Reef Recovery Plan (Plan) for Maui, where valuable coral reefs are in rapid decline at numerous sites. Without healthy coral reefs to protect our shorelines from storms and rising sea level, Maui's beaches, coastal developments, fisheries, and tourism will suffer. Wendy contributed to the entire plan and was especially helpful on the section that addresses water quality protection. She also served on selection committee to hire an implementation coordinator for the Plan.

In collaboration with other MCRT members Dr. Wiltse is providing guidance and trainings for implementation of the Plan at three priority sites. Wendy has been an active participant contributing a valuable watershed and water quality perspective to the on-going work of the MCRT and the MNMRC.

Without hesitation the MNMRC unanimously voted to support the nomination of Dr. Wendy Wiltse to the Legacy Lands Commission. We have experienced her dedication, expertise and experience first hand and know she will contribute productively to the discussions and decisions of the Commission.

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, April 6, 2017 10:25 AM
To: WTL Testimony
Cc: launahele@yahoo.com
Subject: *Submitted testimony for GM668 on Apr 12, 2017 14:45PM*

GM668

Submitted on: 4/6/2017

Testimony for WTL on Apr 12, 2017 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Benton	Individual	Support	No

Comments:

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

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