

DAVID Y. IGE
GOVERNOR OF
HAWAII



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

POST OFFICE BOX 621
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**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the Senate Committee on
AGRICULTURE AND ENVIRONMENT**

**Friday, April 13, 2018
1:15 PM
State Capitol, Conference Room 224**

**In consideration of
GOVERNOR'S MESSAGE 699
SUBMITTING FOR CONSIDERATION AND CONFIRMATION TO THE
ENDANGERED SPECIES RECOVERY COMMITTEE, GUBERNATORIAL
NOMINEE, KAWIKA WINTER, FOR A TERM TO EXPIRE 06-30-2019**

The Department of Land and Natural Resources (Department) expresses its strong support for Governor's Message 699 on the confirmation of Dr. Kawika Winter as a gubernatorial appointed member of the Endangered Species Recovery Committee (ESRC).

Pursuant to Chapter 195D, Hawai'i Revised Statutes (HRS), the ESRC advises the Board of Land and Natural Resources and the Department on matters relating to endangered, threatened, proposed, and candidate species. The seven-member ESRC makes recommendations based on a full review of the best available scientific and other reliable data with consideration of the cumulative impacts of the proposed action on the recovery potential of impacted species. One new ESRC member seat was established under Section 195D-25, HRS, to be filled by a person possessing a background in native Hawaiian traditional and customary practices.

The Department supports the nomination of Dr. Kawika Winter as the person possessing a background in native Hawaiian traditional and customary practices.

Dr. Winter is the Director of the Limahuli Garden and Preserve, part of the National Tropical Botanical Garden on Kaua'i, where he has worked since 2005. Dr. Winter has served on the Hawaiian Conservation Alliance Steering Committee, is the Kaua'i advisory council representative for the E Ale Pū Network, and was awarded the MVP Award by the Hawai'i Invasive Species Council for his efforts to protect priority watershed areas on Kaua'i. His

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

ROBERT K. MASUDA
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.
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
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

extensive background in both Hawaiian ecology and cultural history make him an ideal appointee to this seat on the ESRC.

Thank you for your consideration of the Department's strong support of Dr. Winter's nomination to the ESRC.



GM699

SUBMITTING FOR CONSIDERATION AND CONFIRMATION TO THE ENDANGERED SPECIES RECOVERY COMMITTEE, GUBERNATORIAL NOMINEE, KAWIKA WINTER, FOR A TERM TO EXPIRE 06-30-2019

Senate Committee on Agriculture and Environment

April 13, 2018

1:15 p.m.

Room 224

The Office of Hawaiian Affairs (OHA) Beneficiary Advocacy and Empowerment Committee will recommend that the Board of Trustees **SUPPORT** GM699, which would confirm Kawika Winter as a member of the Endangered Species Recovery Committee.

OHA believes that Mr. Winter will provide the Endangered Species Recovery Committee with much-needed, culturally-informed expertise on native ecosystems and species that will greatly enhance its work. OHA particularly appreciates Mr. Winter's strong background in biocultural resource management, as evident in his numerous publications and extensive work experience; OHA believes that Mr. Winter's knowledge of traditional Hawaiian understandings of and relationships to native ecosystems will provide the Committee with invaluable insight as to how it may better and more comprehensively prevent the extinction of our many rare, threatened, and endangered species. OHA also appreciates Mr. Winter's dedication to the protection and perpetuation of Native Hawaiian traditional and customary practices, including through his training as a practitioner of hula, 'Ōlelo Hawai'i, and lā'au lapa'au, as well as his years of work to protect traditional subsistence fishing practices in Hā'ena, Kaua'i through the establishment of the first permanent community-based subsistence fishing area. OHA believes that Mr. Winter's demonstrable dedication to the perpetuation of cultural practices and the natural and cultural resources underlying them will significantly help the Committee to ensure that endangered species recovery actions do not unnecessarily restrict constitutionally-protected practices and cultural connections to the 'āina, while recognizing the importance of rare, threatened, and endangered species to Native Hawaiian culture;

Therefore, OHA urges the Committee to **PASS** GM699. Mahalo nui for the opportunity to testify on this matter.

Andre F Raine
3861 Ulu Alii Street
Kalaheo 96741
Kauai, HI

Senator Mike Gabbard
Chair, Agriculture and Environment Committee
Hawai'i State Capitol, Room 201
Honolulu, Hawai'i 96813

Dear Senator Gabbard.

Please accept this as my written testimony in support of Kawika Winter's nomination to the Endangered Species Recovery Committee (ESCR) – the hearing of which is to occur today (April 13th).

I am the Project Manager for the Kauai Endangered Seabird Recovery Project and have collaborated with Mr Winter and his National Tropical Botanical Garden team for many years now. I have found Mr Winter to be very professional throughout the time he has worked with me, and very supportive of the endangered seabird monitoring work that we have undertaken. He is also obviously very passionate about the work that NTBG is doing within the Upper Limahuli Preserve (which is where we work) and is committed to the conservation of the rare native plants and birds that rely on this site.

I feel that Mr Winter would be a great choice for the ESRC, due to his significant knowledge of Hawaiian conservation issues and the research that is undertaken to study and protect these species. Equally important, Mr Winter has a strong interest in, and understanding of, the way that native Hawaiians have helped shape the ecosystems that we see on Hawaii today. He also has a strong knowledge of and commitment to protecting the watershed in general – this holistic view of the conservation needs of the entire ecosystem are crucial to understanding how to prioritise conservation actions.

I fully support Mr Winter's nomination and look forward to working with him in this new position.

Best regards,

A handwritten signature in black ink, appearing to read 'Andre Raine', with a large, sweeping flourish extending to the right.

Dr Andre Raine
Project Manager
Kauai Endangered Seabird Recovery Project

From: [Rock Riggs](#)
To: [AEN Testimony](#)
Subject: FW: Kawika Winter: SUPPORT
Date: Friday, April 13, 2018 9:35:23 AM

-----Original Message-----

From: Hob Osterlund [<mailto:hob@hawaii.rr.com>]
Sent: Friday, April 13, 2018 9:17 AM
To: Rock Riggs <r.riggs@capitol.hawaii.gov>
Subject: Kawika Winter: SUPPORT

I fully support Kawika Winter for the Hawaiian Cultural Practitioner seat (an At-large seat) on the Endangered Species Recovery Committee (ESRC).

Mahalo,

Hob Osterlund, Founder, Kauai Albatross Network

GM-699

Submitted on: 4/5/2018 10:36:07 AM

Testimony for AEN on 4/13/2018 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kevin Chang	Individual	Support	No

Comments:

Aloha,

I support the nomination of my friend and colleague Dr. Kawika Winter to the State's Endangered Species Recovery Committee. I have known Dr. Winter for about 15 years now and have also gotten to know him through his work at Limahuli Gardens and as a supporter and community leader/member in Halele'a moku, Kaua'i and the community conservation efforts therein. Kawika's collaborative efforts with other leaders in community and government, among other things, led to the recent passage of the historic Ha'ena Community-based Subsistence Fishing Area designation and rules.

I strongly support this nomination and encourage you to do the same.

Aloha nui

Kevin Chang

GM-699

Submitted on: 4/11/2018 8:02:13 PM

Testimony for AEN on 4/13/2018 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Benton Kealii Pang, Ph.D.	Individual	Support	No

Comments:

GM-699

Submitted on: 4/12/2018 4:22:24 PM

Testimony for AEN on 4/13/2018 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Seana Walsh	Individual	Support	No

Comments:

Kawika Winter is a colleague in conservation in Hawai'i. He has an educational and professional background in Endangered species recovery. He also has unique cultural perspectives to bring to the Endangered Species Recovery Committee (ESRC). I support his appointment by the Governor to the Hawaiian Cultural Practitioner seat on the ESRC.

GM-699

Submitted on: 4/12/2018 10:13:06 PM

Testimony for AEN on 4/13/2018 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jessica Hallman Behnke	Individual	Support	No

Comments:

To the honorable Senators Gabbard and Riviere,

As a biologist and member of the conservation community on Kauai, I am delighted to hear of Kawika Winter's appointment to the Hawaiian Cultural Practitioner seat on the Endangered Species Recovery Committee. I have worked alongside Kawika in a professional capacity for over a decade in various roles pertaining to the protection and enhancement of colonies of endangered seabirds within the National Tropical Botanical Garden's Upper Limahuli Preserve. Through our varied professional interactions, I have seen Kawika regularly tackle complex issues outside of his own realm of expertise and weigh information from various sources. His process is such that he can evaluate evidence, contribute to thoughtful dialogue with a lens of cultural inclusion, and ultimately deliver solid conservation outcomes for our community.

I have every confidence that Kawika's experience and perspective will be a valuable addition to the Committee, and I support his confirmation.

Warm regards,

Jessica Behnke

April 4, 2018

Re: Statement of Interest for my appointment to the Endangered Species Recovery Committee

Welina mai me ke aloha e Senator Gabbard and members of the Agriculture and Environment Committee,

I am honored to be appointed by Governor Ige for the Hawaiian cultural practitioner position on the Endangered Species Recovery Committee (ESRC). It has been a life-long goal of mine to not only protect, but to facilitate the recovery of Hawai'i's endangered species. As a member of ESRC I would be able to apply my cultural background, my resource management background, as well as my research background towards fulfilling the purpose of the Committee by ensuring that development proposals result in a cumulative net benefit to Hawai'i's rarest native species, pursuant to HRS 195D.

For the past 13 years I have been the Director of Limahuli Garden and Preserve, which is a part of the National Tropical Botanical Garden (NTBG). In this capacity I have direct purview over a privately-owned, 1,000-acre botanical garden and nature preserve situated in the most biodiverse ecoregion of the entire State. In order to protect and restore endangered species in our valley I have created and currently lead the implementation of the Limahuli Comprehensive Conservation Strategy, which aligns our conservation efforts with state, national, and international priorities. I have also lead the coordination of the multidisciplinary research needed to inform our adaptive management of the valley's biocultural resources—including listed species. This experience would serve me well as a member of ESRC.

One of the unique aspects of our conservation work at Limahuli is that it is managed in this context is the Hā'ena Ahupua'a Project, which aims to have Hā'ena stand as a model of a 21st century *ahupua'a*. We have had many successes on this front, and the *ahupua'a* of Hā'ena has been held up, in many cases, as a model by both state and federal entities. My perspectives on *ahupua'a* management have been shaped — both philosophically and practically — by the teachings of my late *Kumu Hula*, John Ka'imikaua, and my late *tūtū ho'okama*, Eddie Kaanaana. Both of these *hulu kupuna* were well-respected in this realm, and I have strived to honor their legacy through my work. My cultural training, institutional education, and professional experience has provided me with the knowledge and perspectives needed to understand how the overall system operates, to see where limited energy should to be applied to yield the greatest benefit, and an ability to work with people to get attention focused in the areas that need it most. Through various collaborations in Hā'ena we have been able to synergistically maintain biodiversity, support the health and function of the forest, protect the integrity of the stream, and garner more community-

based support for research and conservation efforts. These are the core experiences that I would bring to the ESRC.

During the term of my service I hope to substantively contribute towards assessing and refining mitigation approaches such that they actually result in a cumulative net benefit for endangered species. My career in resource management, which has had a strong focus on habitat restoration for endangered species, situates me in a good position to do so. That said, I do see one potential area for a conflict of interest. One of the programs I manage is partially funded by endangered species mitigation money via a short-term HCP belonging to Kaua'i Island Utility Cooperative (KIUC). As a means to address this potential conflict of interest I would consult both the Attorney General's office about any potential legal issues, and the Ethics Commission about potential ethical issues. If either or both were to advise my recusal from being involved in any decision-making process regarding that HCP, then I would most certainly do so without hesitation.

I look forward to contributing my time, energy, and experience on another level towards the recovery of Hawai'i's endangered species. *Mahalo* for your consideration.

Me ka ha'aha'a a me ka 'oia'i'o,

A handwritten signature in cursive script that reads "Kawika Winter".

Kawika Winter, Ph.D.