

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Testimony of
SUZANNE D. CASE
Chairperson

Before the House Committee on
OCEAN, MARINE RESOURCES, & HAWAIIAN AFFAIRS

Tuesday, January 30, 2018
9:45 AM
State Capitol, Conference Room 312

In consideration of
HOUSE BILL 1723
RELATING TO MARINE LIFE PROTECTION

House Bill 1723 proposes to establish a working group to identify high priority areas that are in need of marine protection management for potential designation as marine protected areas. **The Department of Land and Natural Resources (“Department”) appreciates the intent of this measure and offers the following comments.**

The Department recognizes the need for spatial planning groups to designate areas for marine protection. The Department is currently in the process of developing a plan to reach the goal of effectively managing thirty percent of the State’s nearshore marine resources by 2030 (The Marine 30x30 Initiative). The Department has designated a multi-agency and interagency steering committee for developing this plan including members from research, management, and multiple stakeholder groups. The Department will continue meeting with this group throughout the planning and implementation process.

In addition, a scientific advisory team has been developed to support the marine spatial planning objective for the Marine 30x30 Initiative. The Department recently held a 3-day workshop in November 2017 which involved participation of scientists from a wide range of backgrounds and expertise to develop the criteria and biological design principles for a network of priority marine areas. Currently, data layers are being compiled per the Department’s specifications and a spatial analysis will draft at least thirty percent of the coastline where effective management should be prioritized. Draft marine management plans for these areas will then be vetted by the scientific advisory group, steering committee members, stakeholders, and general public for their input in a final spatial management plan. Management plans could entail the spatial designations

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

listed in this measure if deemed appropriate by the various planning groups and the Department as well as supported by the biophysical and socioeconomic data used in the spatial analysis.

The Department recommends that the Legislature allow the Marine 30x30 Initiative process to continue and welcomes the suggestions of working group members. The plan will be finalized by 2019.

Thank you for the opportunity to comment on this measure.

HB-1723

Submitted on: 1/29/2018 10:06:20 AM

Testimony for OMH on 1/30/2018 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Benton Kealii Pang, Ph.D.	Hawaiian Civic Club of Honolulu	Support	No

Comments:



COMMITTEE ON OCEAN, MARINE RESOURCES, & HAWAIIAN AFFAIRS

Rep. Kaniela Ing, Chair

Rep. Lynn DeCoite, Vice Chair

Rep. Richard P. Creagan

Rep. Gregg Takayama

Rep. Cedric Asuega Gates

Rep. Cynthia Thielen

Rep. Calvin K.Y. Say

NOTICE OF HEARING

DATE: Tuesday, January 30, 2018

TIME: 9:45 a.m.

PLACE: Conference Room 312

**TESTIMONY OF THE OCEAN TOURISM COALITION IN
CONDITIONAL SUPPORT HB1723**

Chair Ing, Vice Chair DeCoite and Members of the OMH Committee:

My name is James E. Coon, President of the Ocean Tourism Coalition (OTC), **speaking with Conditional Support of HB 1723** establishing a working group for potential Marine Protected Areas.

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. Most of these businesses operate in the near shore coastal waters and are very familiar with the health of the ecosystem in their specific area and have a good overview beyond their specific area of operation.

OTC is requesting that the Ocean Tourism industry have equal representation with the fishing community on this working group to provide the unique perspective of non-consumptive ecotourism.

We are humbly requesting that you please amend HB 1723 with the underlined language:

(7) Representatives of the fishing community; and

(8) Representatives of the ocean tourism community; and

(9) Other persons, as deemed appropriate by the Chairperson of the working group.

Sincerely,

A handwritten signature in black ink that reads "James E. Coon". The signature is written in a cursive style with a large, sweeping initial "J".

James E. Coon, President OTC

captcoon@gmail.com

808-870-9115

HB-1723

Submitted on: 1/27/2018 6:03:44 PM

Testimony for OMH on 1/30/2018 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Vivian S. Toellner	Hui Pono Holoholona	Support	Yes

Comments:

Hui Pono Holoholona strongly supports HB1751 and any efforts the legislature can take to strengthen laws that will protect Hawai'i's coral reefs, reef wildlife and aquatic resources. The time is now to take action given what we know about climate change, ocean pollution, coral bleaching and the decline in many rare plant and animal species. As the endangered species capitol of the world, we must do better at this critical moment in time, for ourselves and future generations. The simple solution is for the state to increase protection of Hawai`i aquatic resources. This will significantly benefit the economy in the short and long term, protect and increase reef wildlife, reduce animal cruelty and decrease government expenditures.

HB-1723

Submitted on: 1/28/2018 6:54:58 PM

Testimony for OMH on 1/30/2018 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
James Silva	Waialua Boat Club	Oppose	No

Comments:

HB-1723

Submitted on: 1/29/2018 12:52:34 PM

Testimony for OMH on 1/30/2018 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jim Hori, DDS		Oppose	No

Comments:

STRONG OPPOSITION

I oppose this bill because it mandates the creation of a working group to manage our marine protected areas instead of using science to determine if marine protected areas have any benefit and if so where they should be!

Sincerely,

Jim Hori, DDS

Oahu Fisherman

HB-1723

Submitted on: 1/29/2018 1:39:37 PM

Testimony for OMH on 1/30/2018 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Carl M Jellings Sr	Fishermen	Oppose	No

Comments:

Oppose

Herbivores because no fresh water most all the water on Oahu have been diverted away from natural stream flow, not enough of it makes it to the ocean to cause for lower salinities and algal blooms or Food for these herbivores Proof is the Ewa Limu Project being overrun be Invasive Mudweed. Mudweed that exist's because of a higher salinity.

Again no Science! excuse No money for science. Thats why we import almost 90 percent of Our Food!!! Fish weeks and months old people getting sick,

so far Haena and the herbivore Project on Maui do Not allow for Traditional Akule Net fishing within the closure so far precedence dictates all these Herbivore closure's will also exclue Akule Fishing. Then you will be importing even more foriegn fish selling frozen products months old at a higher cost.

HB-1723

Submitted on: 1/29/2018 9:35:18 AM

Testimony for OMH on 1/30/2018 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
John Kaneko	Hawaii Seafood Council	Comments	No

Comments:

The Working Group composition includes Section 2(c)(7) "representatives of the Fishing Community". Fishing Community needs to be defined. The Working Group would be strengthened by including mandatory seats for a commercial and non-commercial fisher to represent these primary stakeholders. In addition, the concept of "community-based management" needs to be defined and reconciled with the management and utilization of Public Marine Resources in the State.

John Kaneko, Program Director, Hawaii Seafood Council

HB-1723

Submitted on: 1/27/2018 1:41:49 PM

Testimony for OMH on 1/30/2018 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez		Support	No

Comments:

HB-1723

Submitted on: 1/28/2018 3:45:08 PM

Testimony for OMH on 1/30/2018 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
William K. Chang	Citizen	Oppose	No

Comments:

This measure needs to have scientific data to back up its findings as well as the working group.

This measure needs to be rewritten to include the scientific data.

January 29, 2018

House Committee on Ocean, Marine Resources, & Hawaiian Affairs

DATE: Tuesday, January 30, 2018

TIME: 9:45 am

PLACE: Conference Room 312

HB1723 – RELATING TO MARINE LIFE PROTECTION

Honorable Chair Ing, Vice Chair DeCoite and Members of the House Committee on Ocean, Marine Resources and Hawaiian Affairs:

STRONG OPPOSITION

While I appreciate the intent of the HB1723, I strongly oppose the bill as it serves to legislatively mandate the establishment of a working group to identify high priority areas in need of marine for potential designation as marine protected areas over-stepping the separation between the legislature and the administration.

This bill serves to statutorily mandate the administration and management direction of the Department of Land and Natural Resources, Division of Aquatic Resources and its Chapter 91 Administrative Rulemaking authorities statutorily provided. It is the Department's and Division's responsibility and authority to initiate and analyze the necessary science monitor the status of aquatic resources and initiate actions to effectively manage these resources to ensure their sustainability, security and accessibility by the public and does not require legislative action(s) to perform such duties.

Thank you for this opportunity to provide testimony on this measure.

Respectfully,
Roy N. Morioka, Oahu Fisherman

HB-1723

Submitted on: 1/30/2018 8:01:31 AM

Testimony for OMH on 1/30/2018 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	OCC Legislative Priorities	Support	No

Comments:

**PRESENTATION OF THE
OAHU COUNTY COMMITTEE ON LEGISLATIVE PRIORITIES
DEMOCRATIC PARTY OF HAWAII**

TO THE COMMITTEE ON OCEAN, MARINE RESOURCES & HAWAIIAN AFFAIRS

HOUSE OF REPRESENTATIVES

TWENTY-NINTH LEGISLATURE

REGULAR SESSION OF 2018

Tuesday, January 30, 2018

9:45 a.m.

Hawaii State Capitol, Conference Room 312

RE: Testimony in Support of HB 1723, RELATING TO MARINE LIFE PROTECTION

To the Honorable Kaniela Ing, Chair; the Honorable Lynn DeCoite, Vice-Chair, and Members of the Committee on Ocean, Marine Resources & Hawaiian Affairs:

Good morning, my name is Melodie Aduja. I serve as Chair of the Oahu County Committee ("OCC") Legislative Priorities Committee of the Democratic Party of Hawaii. Thank you for the opportunity to provide written testimony on House Bill No. 1723, relating to the establishment of a working group to protect marine species through nearshore marine protected areas and management. The OCC Legislative Priorities Committee is in favor of House Bill No. 1723 and support its passage.

House Bill No. 1723, is in accord with the Platform of the Democratic Party of Hawai'i ("DPH"), 2016, as it aims to protect and restore marine protected areas with the most fish depletion. Specifically, the DPH Platform states, "[w]e support democratic participation of citizens and residents to protect (i) valuable coastal ecosystems and reefs from misuse and (ii) beaches for public use and recreation. The Hawai'i Coastal Zone Management (CZM) law, HRS Chapter 205A, currently provides for public participation in management of coastal resources. We believe in the vigorous enforcement of our environmental laws and increased public-private stewardships and citizen involvement in protecting our resources." (Platform of the DPH, P. 8, Lines 427-433 (2016)),

Given that House Bill No. 1723 establishes a working group to identify high priority areas that are in need of marine protection management for potential designation as marine protected areas, it is the position of the OCC Legislative Priorities Committee to support this measure as it is designed to protect Hawai'i's valuable coastal ecosystems and reefs from misuse and depletion of marine life.

Thank you very much for your kind consideration.

Sincerely yours,

/s/ **Melodie Aduja**

Melodie Aduja, Chair, OCC Legislative Priorities Committee

Email: legislativepriorities@gmail.com, Tel.: (808) 258-8889



HB1723
RELATING TO MARINE LIFE PROTECTION
Committee on Ocean, Marine Resources & Hawaiian Affairs

January 30, 2018

9:45 a.m.

Room 312

The Office of Hawaiian Affairs (OHA) Administration will recommend that the OHA Board of Trustees offer the following **COMMENTS** on HB1723. This bill would convene a working group to identify high priority areas that are in need of protective management, and that should therefore be eligible for designation as marine protected areas.

OHA appreciates the recognition of “community-based marine management” in the bill’s preamble, and notes that it has been a strong supporter of such community-driven management efforts by rural, subsistence Native Hawaiian communities. **OHA understands that this measure is not intended to delay governmental action in support of these communities and their respective stewardship proposals, but is intended to supplement such efforts in the pursuit of the State’s “30 by 30” goal for nearshore marine management.**

To better reflect the administrative structure of OHA, OHA respectfully requests that the language on page 3, line 16 be amended to read:

“(4) The administrator of the office of Hawaiian affairs, or the administrator’s designee;”

OHA does note that this bill directs the working group to submit a report of its findings to the legislature no later than twenty days prior to the convening of the regular session of 2019, just a few months after its anticipated establishment, and would dissolve the working group on June 30, 2019. **This working group would be required to review and obtain a significant amount of information to develop fully informed findings in a very short amount of time.** Should the Committee choose to move this measure forward, it may wish to afford the working group substantially more time than currently contemplated, by extending the life of the working group to provide adequate time for the group to complete their important work, and by allowing for “initial” and subsequent reports on their progress to be submitted to the legislature on an annual basis.

Thank you for the opportunity to comment.