



# OFFICE OF PLANNING STATE OF HAWAII

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DAVID Y. IGE  
GOVERNOR

LEO R. ASUNCION  
DIRECTOR  
OFFICE OF PLANNING

Statement of  
**LEO R. ASUNCION**  
Director, Office of Planning  
before the  
**SENATE COMMITTEES ON GOVERNMENT OPERATIONS  
AND  
TRANSPORTATION AND ENERGY**  
Thursday, April 19, 2018  
2:30 PM  
State Capitol, Conference Room 414

in consideration of  
**HCR 130**  
**URGING STATE AGENCIES TO EVALUATE, COLLABORATE, AND IMPLEMENT  
BEST MANAGEMENT PRACTICES, TECHNOLOGIES, AND REGULATIONS TO  
ADDRESS VESSEL BIOFOULING IN HAWAII HARBORS.**

Chair(s) Kim and Inouye, Vice Chair(s) Ruderman and Espero, and Members of the Senate Committees on Government Operations & Transportation and Energy.

The Office of Planning (OP) supports House Concurrent Resolution (HCR) 130, which urges state agencies to evaluate, collaborate, and implement best management practices, technologies, and regulations to address vessel biofouling in Hawaii harbors.

HCR 130 is consistent with two inter-agency initiatives: the Ocean Resources Management Plan (ORMP) and the Hawaii Interagency Biosecurity Plan for the Hawaii Invasive Species Council (HISC). OP is lead agency for the coordination of agencies to implement the ORMP, and sits on the HISC on behalf of the Department of Business, Economic Development, and Tourism.

- HCR 130 supports the implementation of ORMP Management Priority #4 Marine Resources, Goal D to: “Minimize the likelihood of aquatic invasive species introductions and spread into and within Hawaii from sources associated with vessels”.
- In addition, the Hawaii Interagency Biosecurity Plan prioritizes the need for managing the risk of aquatic invasive species (AIS) introduction and spread stemming from biofouling.

OP is in support of these inter-agency initiatives to continue collaboration towards supporting better management of ocean resources management through better practices and increased technological methods to reduce AIS introductions.

Thank you for the opportunity to testify in support on this matter.

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 Committees on  
GOVERNMENT OPERATIONS  
and  
TRANSPORTATION AND ENERGY**

**Thursday, April 19, 2018  
2:30 PM  
State Capitol, Conference Room 414**

**In consideration of  
HOUSE CONCURRENT RESOLUTION 130  
URGING STATE AGENCIES TO EVALUATE, COLLABORATE, AND IMPLEMENT  
BEST MANAGEMENT PRACTICES, TECHNOLOGIES, AND REGULATIONS TO  
ADDRESS VESSEL BIOFOULING IN HAWAII HARBORS**

House Concurrent Resolution 130 urges state agencies to evaluate technologies for in-water vessel cleaning to mitigate biofouling in Hawaii's harbors and to implement best management practices. **The Department of Land and Natural Resources (Department) supports this measure.**

The Department is a collaborator on biosecurity issues with the Hawaii Department of Transportation (HIDOT) and the Hawaii Department of Health (DOH), as described in the Hawaii Interagency Biosecurity Plan. Finding solutions to the problem of biofouling on vessel hulls is a major component of the preborder and border recommendations of the Biosecurity Plan. This Biosecurity Plan recognizes this as an interagency issue that impacts all three agencies, as HIDOT manages Hawaii's harbors, DOH regulates water quality standards, and the Department is mandated to prevent the introduction of aquatic invasive species through regulating hull fouling. Biosecurity Plan recommendation BorPro2.4 recommends that these agencies collaborate to test and apply new methods and technologies for ballast water and hull biofouling monitoring, treatment, and compliance monitoring and assessment, including in-water cleaning and treatment methods relative to their application in Hawaii. The full Biosecurity Plan is available for review at <http://dlnr.hawaii.gov/hisc/plans/hibp/>.

**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

The Hawaii Invasive Species Council (HISC), which includes designees of the HIDOT, DOH, and Department, approved a Council resolution similar to the intent of this measure in January 2018. HISC Resolution 18-1, "Supporting Evaluation and Implementation of Best Management Practices and Technologies for Vessel Biofouling Management and Collaboration by HISC Agencies in the Development of Biofouling Management Regulations for Hawaii Harbors," is available at <http://dlnr.hawaii.gov/hisc/reports/resolutions/>.

Thank you for the opportunity to comment on this measure.



COORDINATING GROUP ON  
ALIEN PEST SPECIES

The Senate  
Committee on Government Operations  
Committee on Transportation and Energy  
April 19, 2018  
2:30 p.m., Conference Room 414  
State Capitol

### Testimony in Support of HCR 130

Aloha Chairs Mercado Kim and Inouye, Vice Chairs Ruderman and Espero, and Members of the Committees,

The Coordinating Group on Alien Pest Species (CGAPS) **is in strong support of HCR 130**, *Urging state agencies to evaluate, collaborate, and implement best management practices, technologies, and regulations to address vessel biofouling in Hawai‘i harbors.*

CGAPS has long viewed the issue of vessel biofouling—the growth and spread of non-native marine life on the hulls of vessels—as one of the major gaps in Hawai‘i’s biosecurity program. Several research institutions have documented the presence of more than 400 non-native marine species, and that up to 78% of those arrived through vessel biofouling. Until recently, this issue had been particularly difficult to address, in part because of lack of technology to safely and adequately address biofouling, and in part because multiple agencies hold different parts of the responsibility for vessels, clean water, harbors, and invasive species mitigation.

However, a recent report contracted by CGAPS and DAR by the Smithsonian Environmental Research Center (see <http://www.cgaps.org/wp-content/uploads/Hawaii-In-Water-Vessel-Cleaning-Report-Final-123116.pdf> and earlier report <http://www.cgaps.org/wp-content/uploads/Hawaii-Biofouling-Report-2014-FINAL.pdf>) and through work with partners in New Zealand, Western Australia, California and Maryland, we believe that new technologies hold tremendous promise for addressing invasive species, protecting water quality, and assisting maritime industry with vessel safety and fuel efficiency.

While some vessel operators do their best to address biofouling, they need to be able to conduct hull husbandry in the years between drydocking, a practice that is currently not allowed in Hawai‘i harbors. There are also situations that place Hawai‘i at risk, where dry-docking is not feasible or possible, and it is best to mitigate biofouling in a manner that protects the environment. New technology has been tested and is being used in New Zealand and Western Australia that can clean vessels in-water, fully capturing the effluent and materials.

Addressing biofouling is of the priorities in the Hawai‘i Interagency Biosecurity Plan, and in January the Hawai‘i Invasive Species Council passed a resolution similar to HCR 130. We have been meeting with staff from federal and state agencies and representatives from the maritime industry, and we believe we can move forward together. We would be grateful for your support of this resolution. Mahalo!

Aloha,  
Christy Martin, Andrew Porter  
CGAPS

**HCR-130**

Submitted on: 4/17/2018 2:00:12 PM

Testimony for GVO on 4/19/2018 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i	Support	No

Comments:

To the Honorable Donna Mercado Kim, Chair; the Honorable Russell E. Ruderman, Vice-Chair, and Members of the Committee on Government Operations:

To the Honorable Lorraine R. Inouye, Chair; the Honorable Will Espero, Vice-Chair, and Members of the Committee on Transportation and Energy:

Good afternoon. My name is Melodie Aduja. I serve as Chair of the Oahu County Committee ("OCC") on Legislative Priorities of the Democratic Party of Hawaii. Thank you for the opportunity to provide written testimony on **HCR130** relating to the Alliance for Coastal Technologies and Maritime Environmental Resource Center's program for the assessment and evaluation of biofouling management technologies and the Hawaii Interagency Biosecurity Plan 2017-2027.

The OCC on Legislative Priorities is in favor of **HCR130** and supports its adoption.

**HCR130** is in accord with the Platform of the Democratic Party of Hawai'i ("DPH"), 2016, as it urges: (1) state agencies to work together in planning for Hawaii's involvement in the Alliance for Coastal Technologies and Maritime Environmental Resource Center's program for the assessment and evaluation of biofouling management technologies; (2) that state agencies review the risks of the non-abrasive cleaning of ship hull microfouling and create processes and conditions, such as best management practices, to allow certain vessels with low-risk hull coatings or paint to apply for an in-water cleaning permit; and (3) the state agencies to develop and implement a measurable and enforceable program to address biofouling, to launch with a voluntary compliance phase in period by December 31, 2019, in accordance with the Hawaii Interagency Biosecurity Plan 2017-2027.

The DPH Platform states that "We support adequate resources to address the various invasive species on this island beginning at the point of entry. (Platform of the DPH, P. 3, Lines 112-113 (2016)).

We 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 the management of coastal resources. (Platform of the DPH, P. 8, Lines 427-430 (2016)).

Given that **HCR130** urges: (1) state agencies to work together in planning for Hawaii's involvement in the Alliance for Coastal Technologies and Maritime Environmental Resource Center's program for the assessment and evaluation of biofouling management technologies; (2) that state agencies review the risks of the non-abrasive cleaning of ship hull microfouling and create processes and conditions, such as best management practices, to allow certain vessels with low-risk hull coatings or paint to apply for an in-water cleaning permit; and (3) the state agencies to develop and implement a measurable and enforceable program to address biofouling, to launch with a voluntary compliance phase in period by December 31, 2019, in accordance with the Hawaii Interagency Biosecurity Plan 2017-2027, it is the position of the OCC on Legislative Priorities to support its adoption.

Thank you very much for your kind consideration.  
Sincerely yours,

/s/ Melodie Aduja  
Melodie Aduja, Chair, OCC on Legislative Priorities  
Email: legislativepriorities@gmail.com, Text/Tel.: (808) 258-8889

April 18, 2018

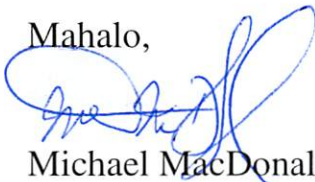
Testimony In Support of HCR 130

Aloha Chairs Kim and Inouye, Vice Chairs Ruderman and Espero, and Members of the Committees,

I am Michael MacDonald with Young Brothers, Limited and we are in support of HCR 130, *Urging state agencies to evaluate, collaborate, and implement best management practices, technologies, and regulations to address vessel biofouling in Hawaii 'i harbors.*

We are vessel operators, and we support this resolution calling for agencies to work together to address this issue. We are dedicated to doing what we can to protect Hawaii's environment, and we believe that recent improvements in vessel coatings that, when properly applied, are helping to reduce biofouling and improve fuel efficiency. However, even with the best coatings, there remains a need to conduct underwater hull husbandry operations to the hull and niche areas, and there is currently no regulatory mechanism that would allow for this to occur. We also know there are instances where drydocking is not possible, and fouling is at a level or in locations that must be mitigated, and we support the participation of Hawaii state agency representatives in testing in-water cleaning technologies. Lastly, this resolution mentions regulation. We support sensible regulations formed in collaboration with industry, with a phase-in period and a triple bottom line that balances economy, environment, and community.

Mahalo,



Michael MacDonald  
Director, Marine Operations & Commercial