

HB-1019

Submitted on: 2/9/2021 10:43:53 AM

Testimony for WAL on 2/11/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
cheryl B.	Individual	Support	No

Comments:

Support.

Asking does this include receiving funds from the US military for their uses/abuses and various areas of destruction or contribution to ocean issues? If not, it should. How much does the "State" receive from them for protection, fixing etc.?

HB-1019

Submitted on: 2/9/2021 7:36:36 PM

Testimony for WAL on 2/11/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Joshua DeMello	Individual	Support	No

Comments:

This is an important bill to set up the process of charging non-resident user fees. Once this is set up, meetings can be held to decide what fees go into this fund. I would suggest that you also include in this bill, direction to DLNR-DAR to start the Chapter 91 process to determine that list of non-resident user fees. I would also caution on this setting a precedent for other states to do something similar. They already do for fishing but if other fees are included, they may do the same. Non-residents are basically free riders in Hawaii benefitting from what Hawaii taxpayers put into it, it's time they paid for their share. Mahalo



Testimony Before The
House Committee on Water & Land
IN SUPPORT OF HB 1019
Thursday, February 11, 2021, 8:30AM, Room 430

My name is Kevin Chang and I am the Co-Director of Kua'āina Ulu 'Auamo (or KUA). KUA works to empower grassroots rural and Native Hawaiian mālama 'āina groups – fishers, farmers and families- to celebrate their places and pass on their traditions to better Hawai'i and achieve 'āina momona— an abundant, productive ecological system that supports community well-being.

KUA supports HB 1019. This bill authorizes the Department of Land and Natural Resources to collect non-resident user fees for the use and enjoyment of the State's ocean resources.

KUA works to empower communities to improve their quality of life through caring for their environmental heritage together. We employ a community-driven approach that currently supports a network of more than 36 mālama 'āina community groups collectively referred to as E Alu Pū (moving forward together), 38 fishpond projects and practitioners called the Hui Mālama Loko I'a, and a growing hui of Limu practitioners all from across our state.

A primary function of KUA includes development of an 'auwai, a stream of resources tools, bridges and networks that help to cultivate and take our communities' work to greater levels of collective impact. A core source of the flow in this 'auwai includes building the capacity within and between the state and communities to better care for Hawai'i's resources together. An Ocean Stewardship Fee program would help address the increasing challenge of responsibly caring together for Hawai'i's marine ecosystem and the important services it provides for current and future generations.

Our state depends on healthy marine systems; they feed us, protect our shorelines, support and sustain cultural practices, and ensure economic vitality. For the last century visitors have enjoyed Hawaii's abundant ocean resources with no direct contribution to their care and vitality. This bill provides a pathway to generate needed visitor revenue to help fund marine resource restoration, conservation, and education. We are of course excited that this support will also boost government and community capacity to better collaborate in our care for the ocean.

Indeed, other island nations as you know have begun to do similar.

Mahalo for this opportunity to testify.

Aloha 'Āina Momona.

HB-1019

Submitted on: 2/9/2021 9:46:15 PM

Testimony for WAL on 2/11/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Presley Wann	Hui Maka'ainana O Makana	Support	No

Comments:

Aloha Kakou,

We are in support of HB1019 especially in these COVID 19 times and, hopefully, economic recovery for the State of Hawaii, County of Kaua'i, and the tourism sector. These fees may help in education of the tourism industry and our visitors and a quicker recovery for the State of Hawaii.

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
WATER & LAND**

**Thursday, February 11, 2021
8:30 AM**

State Capitol, Via Videoconference, Conference Room 430

**In consideration of
HOUSE BILL 1019
RELATING TO OCEAN STEWARDSHIP**

House Bill 1019 proposes to establish the Ocean Stewardship Special Fund for the collection and use of moneys for the conservation, restoration, and enhancement of the State's marine resources, and to authorize the Department of Land and Natural Resources (Department) to collect non-resident user fees for the use and enjoyment of the State's ocean resources. **The Department strongly supports this Administration bill and offers the following comments.**

Hawai'i's ocean waters and the marine resources contained within are some of the State's most ecologically, economically, and culturally valuable environmental assets, central to our [\\$7.8 billion outdoor recreation industry](#). Our marine resources are also under threat - more frequent coral bleaching events, pollutant runoff, unsustainable fishing practices and the rapid proliferation of invasive species demand that we take action now to halt and reverse these threats. It is critically important that the Department has adequate resources to help ensure the health of our nearshore marine ecosystems for present and future generations. With current state budget challenges, additional revenues are needed to prevent us from moving backwards in protection of these natural, cultural and economic resources.

For decades, visitors have enjoyed Hawai'i's abundant ocean resources without contributing directly to management of those resources. House Bill 1019 would provide a framework for the Department to begin collecting nominal fees from visitors for the use and enjoyment of the State's ocean resources. These fees would provide needed revenues to the Department for marine resource conservation, restoration, enhancement, research, and educational activities.

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

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

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

The Department recently commissioned a study to explore the feasibility of establishing an Ocean Stewardship Fee. The full study can be viewed or downloaded (10 MB) at this link: https://dlnr.hawaii.gov/dar/files/2021/01/Ocean_Stewardship_Fund.pdf

The Ocean Stewardship Fee would be collected through commercial ocean operators who provide vessel-based activities to passengers or vessel-free services to customers. The Department's Division of Boating and Ocean Recreation (DOBOR) Commercial Use Permit holders would collect a small per head fee from each passenger or customer. Fees would be paid to the Department through an online payment system at the end of each month. Collected fees would be directed into a special fund managed by the Department's Division of Aquatic Resources (DAR). DAR supports the idea of establishing a stakeholder advisory committee to provide recommendations on expenditures from the Ocean Stewardship Special Fund.

According to the study, if the fee is set at \$1.00 per passenger or customer, and fee volumes are based on tourism numbers with COVID-19 potential impacts, the program would be expected to generate a Net Present Value (NPV) of \$14.4 million over a 15-year time horizon. If the same \$1.00 per passenger or customer fee rate is used with Hawai'i tourism numbers prior to 2020, the program would be expected to generate a NPV of \$30.3 million over a 15-year time horizon. If the rate is increased to \$2.50 per passenger or customer and used with Hawai'i tourism numbers prior to 2020, the program would be expected to generate a NPV of \$85.4 million over a 15-year time horizon.

Residents and visitors alike would benefit from healthier reefs and restored fisheries. Commercial ocean tour operators would benefit directly by being able to offer more enjoyable experiences to their customers, and customers will have the satisfaction that their experience is contributing to marine resource conservation, restoration, and enhancement. It is a win/win situation for Hawai'i's residents, visitors, businesses, resource managers, and most importantly the ocean resources themselves.

Thank you for the opportunity to comment on this measure.

HB-1019

Submitted on: 2/10/2021 6:01:58 AM

Testimony for WAL on 2/11/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Darrell Tanaka	Individual	Support	No

Comments:

It's about time tourists start paying and contributing to the protection of our natural resources. The industry will lobby hard against this bill, but all they have to do is pass the fees on to their clients. Commercial businesses are not a priority when it comes to managing natural resources, in fact, according to the dlnr mandates, they rank last in consideration for resource management. The commercial tour industry has used Hawaii as a prostitute for far too long.

HB-1019

Submitted on: 2/10/2021 8:08:39 AM

Testimony for WAL on 2/11/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Hawaii Reef and Ocean Coalition	Hawaii Reef and Ocean Coalition	Support	No

Comments:

Honorable Representative David A. Tarnas, Chair

Honorable Representative Patrick Pihana Branco, Vice Chair, and Members of the House Committee on Water and Land.

From: HAWAI'I REEF AND OCEAN COALITION – HIROC (by Ted Bohlen)

Re: Hearing HB1019 RELATING TO OCEAN STEWARDSHIP

Hearing Date: [Thursday, February 12, 2021, 8:30 am](#), videoconference

Position: STRONG SUPPORT FOR HB1019!

Aloha Chair Tarnas, Vice Chair Branco, and Members of the

House Committee on Water and Land:

The HAWAI'I REEF AND OCEAN COALITION – HIROC – was formed in 2017 by coral reef scientists, educators, local Hawaii environmental organizations, elected officials, and others to address the crisis facing Hawaii's coral reefs and other marine life.

Our reefs and oceans need funding for protection! This bill would establish the Ocean Stewardship Special Fund for the collection and use of moneys for the conservation, restoration, and enhancement of the State's marine resources, and authorizes the Department of Land and Natural Resources to collect non-resident user fees for the use and enjoyment of the State's ocean resources. This fund is a way to finance these critical marine resource protections. Those fees must be used for conservation, restoration, and enhancement of the State's marine resources, and for no other purpose.

Please pass this Bill!

Mahalo!

Hawaii Reef and Ocean Coalition (by Ted Bohlen)

HB-1019

Submitted on: 2/10/2021 8:10:37 AM

Testimony for WAL on 2/11/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Diane Ware	Individual	Support	No

Comments:

Dear chair and committee members,

I am very concerned about our aquatic resources being exploited by the Pet Industry for hobby aquariums. DLNR needs more funds to enforce regulations and catch poachers. Improving stewardship education and efforts will protect our ecosystems Mauna-makai.

investing in our ecosystems now will save \$\$in the long run.

Sincerely,

Diane Ware

99-7815 Kapoha Volcano HI 96785



The Nature Conservancy, Hawai'i Program
923 Nu'uuanu Avenue
Honolulu, HI 96817

Tel (808) 537-4508
Fax (808) 545-2019
nature.org/hawaii

**Testimony of The Nature Conservancy
In Support of HB 1019, RELATING TO OCEAN STEWARDSHIP**

**Committee on Water & Land
Thursday, February 11, 2021, 8:30 AM
Conference Room 430 Via Teleconference**

The Nature Conservancy of Hawai'i is a non-profit organization dedicated to the preservation of the lands and waters upon which all life depends. The Conservancy has helped protect more than 200,000 acres of natural lands in Hawai'i and Palmyra Atoll. We manage 40,000 acres in 13 nature preserves and work in over 50 coastal communities to help protect and restore the nearshore reefs and fisheries of the main Hawaiian Islands. We forge partnerships with government, private parties, and communities to protect forests and coral reefs for their ecological values and for the many benefits they provide to people.

The Nature Conservancy supports House Bill 1019 which proposes to establish the Ocean Stewardship Special Fund for the collection and use of funds for the conservation, restoration, and enhancement of the State's marine resources, and to authorize the Department of Land and Natural Resources (DLNR) to collect non-resident user fees for the use and enjoyment of the State's ocean resources.

Life in Hawai'i is concentrated along our spectacular coasts, where islanders and visitors take full advantage of tropical waters and vibrant coral reefs teeming with life. The reefs that line our coasts are environmental, economic, recreational, and cultural treasures that support our island lifestyle and livelihoods. Each year, they provide flood protection to people, property, and jobs valued at more than \$836 million, support nearshore fisheries worth \$13.4 million, and contribute more than \$1.2 billion through reef-related tourism to the state's economy. Yet local pressures from overfishing and land-based pollutants have contributed to a 60% decline in living coral reefs in some areas over the past 40 years, and as much as a 90% decline in some important nearshore fisheries. The impacts of global climate change, such as warming and rising seas and more powerful and frequent storms, hasten the loss of coral reefs and threaten coastal areas with flooding and erosion. In a recent poll of Hawai'i residents, 93% said that coral reefs dying off was a serious concern. We must reverse this trend to protect the environmental engine that drives our economy.

DLNR is responsible for managing and protecting Hawai'i's coral reefs, nearshore fisheries, and other important coastal resources, and it is imperative that they have the financial resources necessary to do so. House Bill 1019 will enable DLNR to begin collecting nominal fees from visitors for the use and enjoyment of the State's ocean resources. These fees will provide critical revenue to DLNR for essential marine resource protection, restoration, and management. The Ocean Stewardship Fee would be collected through commercial ocean operators who provide services to tourists. Collected fees would be directed into a special fund managed by the Division of Aquatic Resources (DAR), and residents and visitors alike would benefit from healthier and more resilient marine resources.

Thank you for the opportunity to support HB1019 to provide the funding necessary for DLNR to protect and restore the unique marine resources that make Hawai'i a global destination for discerning visitors and an irreplaceable home that will sustain us and our children for generations to come.

BOARD OF TRUSTEES

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Ocean Tourism Coalition

The Voice for Hawaii's Ocean Tourism Industry
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HOUSE OF REPRESENTATIVES
THE THIRTY-FIRST LEGISLATURE
REGULAR SESSION OF 2021

COMMITTEE ON WATER & LAND

Rep. David A. Tarnas, Chair

Rep. Patrick Pihana Branco, Vice Chair

Rep. Sonny Ganaden

Rep. Dee Morikawa

Rep. Bertrand

Rep. Takashi Ohno

Kobayashi

Rep. Sam Satoru Kong

Rep. Bob McDermott

NOTICE OF HEARING

DATE: Thursday, February 11, 2021

TIME: 8:30A.M.

TESTIMONY OF THE OCEAN TOURISM COALITION IN OPPOSITION TO HB1019 AS WRITTEN.

Dear Chair Tarnas, Vice Chair Branco, and Members of the Committee on Water and Land:

The Ocean Tourism Coalition (“OTC”) is cooperating with the Department of Aquatic Resources (“DAR”) to revise this bill to achieve the stated objectives. OTC recognizes the importance ensuring the continued health of our marine ecosystems, including installation, maintenance and replacement of day use mooring buoys and other infrastructure.

OTC recently met with the DAR to revise the bill to set a predictable, affordable standard for the non-resident user fee. OTC recommends the following bill revisions, which are indicated in the bold, underlined language below:

§187A- Ocean stewardship fees. The department of land and natural resources may adopt rules pursuant to chapter 91 to establish non—resident user fees for the use and enjoyment of the State’s ocean resources. Fees collected under this section or any rule adopted thereunder, shall be deposited in the ocean stewardship special fund.”

The non-resident user fee adopted hereunder shall be \$1 per passenger. The non-resident user fee shall be adjusted every 5 years to match changes in the Consumer Price Index in the Honolulu Area as reported by the U.S. Bureau of Labor Statistics; provided,

however, the non-resident user fee shall not be adjusted more than 10% every 5 years. The non-resident user fee collected by a permittee with a commercial use permit shall not be included in the definition of “Gross Receipts ” as defined by H.A.R. 13-230-8.

We are involved in ongoing discussions with DAR to develop the above language. DAR indicated the above revisions to the bill are reasonable, and we are working out technical suggestions. For example, DAR agrees the non-resident user fee will not be imposed until 2024.

With that said, OTC strongly urges that the sources of revenue for this fund be expanded to include all industries and businesses that have an impact on our State’s marine waters. It cannot be understated how great of an impact land-based activities have on our marine environment. Pollutants such as sediment, nutrients (from fertilizers), bacteria (from animal waste), toxic chemicals, oil, and trash all flow into the streams, rivers, and finally into the ocean. These pollutants, whether from golf courses, agricultural activities, or a myriad of other land-based activities, have a significant effect on the health of our reefs. The Ocean Tourism Industry is willing to contribute funds to ensure that our marine environment is protected, however, we cannot carry this load ourselves. All those who benefit or have a harmful impact on our State waters should be asked to contribute as well.

In conclusion, OTC opposes the bill as currently written, but is working with DAR to draft a bill that achieves the stated objectives. We humbly ask that this bill be revised to include the suggested language, and be expanded to include other sources of revenue, particularly from any industry or activity that may have a harmful impact on our marine environment.

Sincerely,
Zachary LaPrade, Director, OTC



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
House Committee on Water & Land
Thursday, February 11, 2021 at 8:30 a.m.

By
Darren T. Lerner, Director
Sea Grant College Program,
School of Ocean and Earth Science and Technology
University of Hawai'i at Mānoa

HB 1019 – RELATING TO OCEAN STEWARDSHIP

Chair Tarnas, Vice Chair Branco, and members of the Committee:

The University of Hawai'i Sea Grant College Program (Hawai'i Sea Grant) supports the intent of HB 1019. This legislation proposes to establish the Ocean Stewardship Special Fund for the collection and use of moneys for the conservation, restoration, and enhancement of the State's marine resources, and to authorize the Department of Land and Natural Resources (Department) to collect nonresident user fees for the use and enjoyment of the State's ocean resources.

Hawai'i Sea Grant's mission is to provide integrated research, extension, and education activities that increase understanding and use of ocean and coastal resources of the Hawaiian and Pacific Islands and support the informed personal, policy, and management decisions that are integral to realizing this vision. Hawai'i Sea Grant is part of a national network of 34 university-based programs associated with the National Oceanic and Atmospheric Administration (NOAA) that promote better understanding, conservation, and use of coastal resources.

We see the Ocean Stewardship Fee as an important and sustainable pathway to fund the marine resource monitoring, restoration, and management that is vital for the conservation of ocean resources that sustain communities at the local level. As a program we are committed to the use of sound scientific information to advance understanding of the nature and value of our coastal, ocean, and marine resources; to identify new ways to conserve and use these resources; and to support evaluation of the environmental impacts and socio-economic trade-offs involved in coastal decision-making. We believe that there is a strong rationale for the establishment of an Ocean Stewardship Fee.

- The Ocean Stewardship Fee is aimed at commercial ocean users who provide vessel-based activities to passengers or vessel-free services to customers.

- The nominal fee could be set at rates as low as \$1.00 per passenger and has the potential to generate an estimated \$14.4 to \$30.3 million over a 15 year time horizon.
- Ocean waters, marine environments, and beaches are the backbone of Hawai'i's \$15 Billion tourism industry and are central to Hawai'i's unique culture and lifestyle.
- Residents and visitors alike would benefit from improvements to the management of marine resources in Hawai'i.
- Improvements from increased marine management facilitated by the Ocean Stewardship Fee will help to sustain continued tourism spending and interest in boating and ocean recreation activities.
- A study commissioned by the Division of Aquatic Resources and completed in collaboration with Conservation International has looked in depth at successful finance models from other U.S. states. The establishment of an Ocean Stewardship Fee is based on other successful models. (https://dlnr.hawaii.gov/dar/files/2021/01/Ocean_Stewardship_Fund.pdf)
- The Division of Aquatic Resources has already identified priority areas such as coral reef restoration, mooring buoy maintenance, and habitat restoration that funds generated from the fee could be put to immediate use towards.

Hawai'i Sea Grant supports HB 1019 to establish the Ocean Stewardship Special Fund for the collection and use of moneys for the conservation, restoration, and enhancement of the State's marine resources. However, we are aware of the current financial climate of the State of Hawai'i and realizes that state funding is reduced. For the next fiscal biennium, the University of Hawai'i Board of Regents approved a budget request for the University that was flat and did not seek any increased funding to the University. UH defers to DLNR on their priorities.

Thank you for the opportunity to testify on this measure.

HB-1019

Submitted on: 2/10/2021 3:21:03 PM

Testimony for WAL on 2/11/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Shelby Serra	Pacific Whale Foundation	Comments	No

Comments:

Testimony to the Hawaii State House Committee on Water & Land

February 11, 2021

8:30 a.m.

Hawaii State Capitol – Conference Room 329

RE: HB 1019, Relating to Ocean Stewardship

Aloha Chair Tarnas, Vice-Chair Branco, and members of the Committee,

Thank you for the opportunity to submit testimony on House Bill 1019.

My name is Shelby Serra and I am the Conservation Coordinator for Pacific Whale Foundation, based on the island of Maui. For the last 40 years, Pacific Whale Foundation’s mission has been to protect the ocean through science and advocacy, and to inspire environmental stewardship. Our nonprofit work includes active research, education, and conservation projects here in Hawai’i and abroad in Australia and Ecuador.

On behalf of our nearly 20,000 supporting members, PWF would like to support the establishment of a new fund for use in marine resource protections and advancement of the “30x30” initiative.

The Hawaiian Island’s near-shore habitat drives ocean-based tourism and supports extensive coral reef systems. These fragile ecosystems protect our coastlines and provide habitat to a wide variety of marine life; coral reefs harbor the highest concentration of marine biodiversity (1). The biodiversity of these habitats must remain intact as the need to increase our resilience to the threats of global climate change increases. In addition to the threat of climate change, we are seeing more frequent coral bleaching events, pollutant runoff, unsustainable fishing practices, and damage due to overuse.

Protecting and preserving these resources is critical for the survival of the humans, marine life, and businesses that depend on a healthy ocean ecosystem.

On all Hawaiian Islands, agricultural lands are changing due to residential and resort uses (2). Coastal Development can bring a suite of social and environmental consequences including degradation of coastal waters from cumulative increases in runoff and groundwater contamination (2). Development inevitably increases the amount of impervious surface and runoff, leading to choked out reef systems.

Over 80% of Hawai'i's tourists participate in some form of ocean recreation, and most, if not all, occurs around coral reefs (2). Many Hawaiian reefs are easily accessible to the human population as they are located within close proximity to resident and visitor concentration (3). Studies have shown that extensive damage to corals can occur in shallow, calm water sites with high levels of human use. Trampling can occur in these shallow nearshore reef flats, which possess fragile and delicate coral species; continuous impact results in total mortality (3).

As a result, Pacific Whale Foundation recommends that the fee structure for the ocean stewardship special fund should include the full suite of nonresident users that either actively utilize Hawai'i's marine resources or contribute to their degradation through terrestrial activities. We also propose including accountability mechanisms that ensure the revenue generated is being spent on its intended purposes.

Thank you for the opportunity to testify on HB 1019.

Shelby Serra

Conservation Coordinator

Pacific Whale Foundation

References

1. Carpenter, K.E., et. al., 2008: *One-third of reef-building corals face elevated extinction risk from climate change and local impacts*. Science, 321(5888), 560-563
2. A. Friedlander et al., in *The State of Coral Reef Ecosystems of the Main Hawaiian Islands*, J. Waddell, Ed. (NOAA Technical Memorandum NOS NCCOS, Silver Spring, MD, 2005) 11 pp. 222-269.
3. Rodgers, K. S., Cox, E., & Newton, C. (2003). *Effects of mechanical fracturing and experimental trampling on Hawaiian corals*. Environmental Management, 31, 377e384.



HB1019
RELATING TO OCEAN STEWARDSHIP
Ke Kōmike Hale o ka Wai a me ka 'Āina

Pepeluali 11, 2021

8:30 a.m.

Lumi 430

The Office of Hawaiian Affairs (OHA) Committee on Beneficiary Advocacy and Empowerment will recommend that the OHA Board of Trustees **SUPPORT** HB1019, which would provide a mechanism for generating substantial and dedicated revenues to support the the conservation, restoration, and enhancement of the State's marine resources.

Hawai'i's ocean environment forms the bedrock of our islands. Hawai'i's marine environment and natural resources serve as a cultural, economic, social, scientific and recreational foundation for these islands. OHA notes that economic studies in 2002 and 2003 found an overall contribution of \$800 million in revenue generated from our coral reefs and coastal resources, with an added recreational, amenity, fishery, biodiversity and educational value of \$364 million per year. A subsequent report released in 2011 utilizing "innovative economic survey techniques" found that across U.S. households, the economic value of protecting Hawai'i's nearshore environment could be estimated at \$34 billion a year. While our ocean waters clearly hold cultural, spiritual, and biological significance beyond any monetary value, these economic analyses clearly reflect the critical nature of our marine environment to Hawai'i nei.¹

This measure would accordingly support the management and stewardship of some of our most culturally, economically, and socially valued ocean areas, as well as research and other activities that may benefit our ocean environment as a whole. By authorizing nonresident user fees for the use and enjoyment of the state's ocean resources, and dedicating such fees to the conservation, restoration, enhancement of marine resources,

¹ See Carlie S. Weiner, Mark D. Needham, & Paul Wilkinson, *Hawaii's real marine life park: interpretation and impacts of commercial marine tourism in the Hawaiian Islands*, 12 CURRENT ISSUES IN TOURISM 489, 489-90 (2009) citing P.J. van Beukering & H.S. Cesar, *Ecological economic modeling of coral reefs: Evaluating tourist overuse at Hanauma Bay and algae blooms at the Kihei Coast, Hawai'i* 58 PAC. SCIENCE 243 (2007); A.M. Friedlander et. al., *The state of coral reef ecosystems of the main Hawaiian Islands* in THE STATE OF CORAL REEF ECOSYSTEMS IN THE UNITED STATES AND PACIFIC FREELY ASSOCIATED STATES 222-269 (2005); K. DAVIDSON, M. HAMNET, & C. MINATO, ECONOMIC VALUE OF HAWAII'S NEARSHORE REEFS (2003), available at [http://nature.forestry.oregonstate.edu/sites/default/files/2009-2%20CIT%20-%20Wiener%20Needham%20Wilkinson%20\(2009\).pdf](http://nature.forestry.oregonstate.edu/sites/default/files/2009-2%20CIT%20-%20Wiener%20Needham%20Wilkinson%20(2009).pdf); HERMAN CESAR ET. AL, ECONOMIC VALUATION OF THE CORAL REEFS OF HAWAII FINAL REPORT 74 (2002), available at http://www.coralreef.gov/meeting18/evhcri_samoa_2007.pdf; RICHARD C. BISHOP ET. AL., TOTAL ECONOMIC VALUE FOR PROTECTING AND RESTORING HAWAIIAN CORAL REEF ECOSYSTEMS: EXECUTIVE SUMMARY (2011), available at https://www.coris.noaa.gov/activities/hawaii_econeval/resources/execsumm.pdf.

this measure could result in millions of dollars of revenues to protect and perpetuate the ocean environment upon which our islands depend – without any increased burden on state taxpayers. OHA understands that geographical limitations would likely limit the practical application of such fees to only a few marine managed areas; however, **with pre-pandemic numbers approximating 1 million annual visitors to Hanauma Bay alone, a modest nonresident user fee for this one location alone could generate millions of dollars a year in support of the management, stewardship, restoration, and perpetuation of our ocean resources and sites.**²

Therefore, OHA urges the Committee to **PASS** HB1019. Mahalo nui loa for the opportunity to testify on this measure.

² Hanauma Bay State Park, Hanauma Bay History, <https://hanaumabaystatepark.com/hanauma-bay-history/> (last accessed Feb. 8, 2021).

Cates Marine Service, LLC
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Honolulu HI 96819
Ph. 808 841-4956
Fax 808 841-4957



February 10, 2021

HOUSE OF REPRESENTATIVES
THE THIRTY-FIRST LEGISLATURE
REGULAR SESSION OF 2021

[COMMITTEE ON WATER & LAND](#)

Rep. David A. Tarnas, Chair
Rep. Patrick Pihana Branco, Vice Chair

Rep. Sonny Ganaden	Rep. Dee Morikawa
Rep. Bertrand Kobayashi	Rep. Takashi Ohno
Rep. Sam Satoru Kong	Rep. Bob McDermott

Subject: HB 1019 Relating to Ocean Stewardship

I am in full support of this measure to create a fund that will be supported by out of State users who use and enjoy our resources, currently things are way out of balance. Just one example of this is the tour Industry of Kaneohe Bay and the use of Heeia Kea Harbor, years ago I obtained the financial information from DLNR – Boating on how much revenue was being generated and going into the Harbors by the tour Industry, based on the information that was provided to me over several years period it came out that in fact only .28 cents per tourist/per day was the revenue going to Boating Division. This seems very unfair to the local residents who have our harbors and offshore reef areas filled up six days per week, we not only loose access to our harbors with 1400 tourists per day at this harbor, the offshore resources are being seriously impacted upon. This measure is an attempt to have the tourist pay their fair share to protect our resources, the average boater pays much more currently.

In contrast, DLNR-Forestry charges a landing fee for the Kayak tours to land at the Mokulua Islands offshore of Lanikai, Oahu. This fee is between \$3.00 to \$5.00 per head/day and up to 200 landings per day. This fee was imposed years ago and there was no loss of business at all, in fact the tourist fully

gladly pay this amount knowing it is supporting the efforts of DLNR. We need this similar fee for our other resources as well.

I would encourage any of you to reach out to DLNR-Boating and ask for the revenue generated at any of our harbors and compare it to what Hawaii's boater pay/support. I have the data if any of you are interested in it.

I am in full support of HB 1019

Randy Cates

HB-1019

Submitted on: 2/10/2021 4:59:31 PM

Testimony for WAL on 2/11/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Catherine Kessler	Dive Maui / Hawaiian Rafting Adventures representing 7 employees	Oppose	No

Comments:

Aloha,

Thank you to the Chair and Committee for taking time and consideration to protect our precious resources here on Maui. My name is Catherine Kessler and I too believe the oceans around Maui and the world at large need our help. I manage a dive shop in Lahaina called Dive Maui/Hawaiian Rafting Adventures. We are a small operation that takes guests scuba diving and whale watching with the belief that people protect what they love. Ocean encounters are priceless ways to encourage the public to love and therefore protect the ocean.

Though I am an advocate for ocean protection specifically and environmental protection at large, I do oppose both bill [HB1019](#) and its companion companion [SB1173](#).

I agree Hawaii's marine ecosystems are important and need protection, but ecotourism is not the culprit making conservation necessary. The #1 threat to Hawaii's reefs: forecast that 70% of reefs will be lost in next 15-30 years due to rising sea temperatures. To be successful, other sectors should be tapped to contribute to special conservation fund. Air travel, visitor lodging, rental cars, development projects.

The Commercial Ocean Recreation industry already has a 3% User Fee to DLNR. While it is appropriate to allocate a portion of existing User Fee to special conservation fund, it is inappropriate to create a second, new User Fee for this sector. Additional fees to an already hard hit industry during pandemic could be the tipping point for small businesses struggling to survive reduced capacity.

Thank you again for your time and consideration.

Mahalo,

Catherine Kessler

General Manager, Dive Maui/Hawaiian Rafting Adventures

HB-1019

Submitted on: 2/10/2021 5:23:40 PM

Testimony for WAL on 2/11/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Greg Howeth	Individual	Oppose	No

Comments:

I strongly disagree that the Ocean Recreation industry should have yet another User Fee be the target revenue stream for such a fund, without participation from other sectors like air travel, visitor lodging, car rentals, development projects, etc, especially at a time when the industry is struggling to provide employment for our local residents.

As you're probably aware, the Ocean Recreation Industry is not even one of the top 5 threats to Hawaii's marine ecosystem. Try land-based pollutants such as sewage treatment injection wells, fertilizer run-off, sedimentation events, destructive fishing practices, rising sea temperatures, or ocean acidification. Yet these bills as written paint "marine ecotourism" as a significant hazard to ocean and reef health when in reality the ocean tourism industry is one of Hawaii's greatest assets to provide the marine resource protection through education of the visitor market.

HB-1019

Submitted on: 2/10/2021 7:23:32 PM

Testimony for WAL on 2/11/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Erik Stein	Extended Horizons	Oppose	No

Comments:

Thank you for taking time to read my testimony in opposition to HB1019

While I agree that Hawaii's marine ecosystems are important and need protection I emphatically say that ecotourism is not the main culprit making conservation necessary. Ecotourism is not even a top five threat to the reef. Global ocean warming caused by greenhouse gases is easily the biggest threat globally. The sad fact is that ocean sedimentation and point source pollution play a much larger role in impacts to the reef in Hawaii as do global issues. And studies have consistently shown these impacts are much much larger than ecotourism.

Ocean tourism already contributes a 3% fee to the DLNR from monies collected on users. This would be a second fee DLNR is imposing. I do recognize DOBOR and DAR are different departments but that does not take away from the fact that the same people are being asked for fees twice by the same Department. DAR needs to look elsewhere to those who are causing a bigger impact for this conservation fund to be successful. These other sectors should be made to contribute to special conservation fund. Air travel, visitor lodging, rental cars, development projects. All of these have impacts that are significant and measurable.

I do think it appropriate that the State allocate a portion of the 3% fee already charged to Ocean tourism business to conservation funding. But it is inappropriate for more fees to be tacked on to the commercial ocean recreation industry while many are still trying to stay afloat from being closed and now restricted in capacity. I strongly oppose this bill in this form and suggest that fishing, construction, DMV, and even airport taxes and other industries be tapped if the government would like to create a fund.

HB-1019

Submitted on: 2/10/2021 5:25:17 PM

Testimony for WAL on 2/11/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Kelley	Teralani	Oppose	No

Comments:

Thank you to the committee members and chair for being open to listen and move a=only after substantial input on these troubling bills. I am **"NOT" in support** of HB 1019. It will further cripple thsoe of us remaining businesses that are trying our best to limp across the COVID finish line. It also renders yet another reason for our valued and dwindling visitor population to choose Mexico, the Caribbean or other tropical destinations. We currentlky pay a 3% user fee on every single dollar collected to the State DLNR. For thsi we would like to request that a fractional portion be allocated towards marine conservation. At this time another added cost to particiapte or cost to operate that is passed to our guests is a coffin nail that may have devastating results. I emplore you to please decile passage of HB1019.

Thank you for your time and consideration.

Mike Kelley

HB-1019

Submitted on: 2/10/2021 8:01:32 PM

Testimony for WAL on 2/11/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Caitlin Maratea	Banyan Tree Divers Maui	Oppose	No

Comments:

Aloha Chair and Committee Members,

My name is Caitlin Maratea, writing on behalf of Banyan Tree Divers Maui. Thank you for taking the time consider my testimony regarding my opposition to HB1019 Relating to Ocean Stewardship.

At first glance this bill looks like a good idea. Why would anyone be opposed to allocating funds to protect Hawai'i's precious marine ecosystem? I have been teaching scuba diving on Maui for 10 years. My livelihood and passion resides in protecting Hawai'i's coral reefs. The problem with this bill pertains to the proposed source of these funds.

This initiative imposes additional financial pressure on small business operators who not only have been devastated by the loss of revenue during the covid-19 pandemic, but are also NOT the culprits that make ocean conservation necessary. I resent that the verbage "diving activities" is even mentioned along side "poaching" and "land and water-based pollutant discharges" among others listed.

If you want to focus on the real damage caused to Hawai'i's near shore environment, perhaps take note that due to reduction in tourism and reduced hotel capacity, West Maui's wastewater treatment plant released 60% less wastewater from March 2020-October 2020. This led to immediate improvement in the near-shore waters of Kahekili Reef in Ka'anapali, Maui according to a study conducted by University of Hawai'i in tandem with Texas A&M. This study shows that wastewater generated by hotels directly contributes to the decline in health of nearshore reefs. Why not collect a non-resident fee from hotels then? Or large development projects adding to ocean sedimentation? Or large agricultural operations producing runoff that increases ocean acidification?

The Commercial Ocean Recreation Industry already pays 3% non-resident user fee to the DLNR which was increased only recently. While it is appropriate to allocate some of these existing funds to bolster marine conservation management, it is NOT appropriate to add further strain to this already struggling sector.

While I support Hawai'i's ambitious 30x30 marine management initiative, I do not support singling out small businesses to foot the bill for a much larger problem. Ignoring the bigger picture and enacting oppressive measures is not how the 30x30 initiative will become successful.

Many thanks again for your time and consideration. Please VOTE NO on HB1019

HB-1019

Submitted on: 2/10/2021 8:29:36 PM

Testimony for WAL on 2/11/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Patricia Cadiz	Individual	Oppose	No

Comments:

Aloha Chair Tarnas, Vice Chair Branco and committee members,

My name is Patricia Cadiz and I am writing to oppose HB1019 as written.

I am first and foremost, an advocate for restoring and preserving Hawaii's precious reefs, beaches and marine ecosystems so I have no opposition to the *intent* of this bill.

I do, however, object to this particular part of the bill: "(1) Moneys collected as non-resident user fees pursuant to section 187A- ;

Studies show that reef impacts are from overfishing first and sediment runoff second. "Non-resident ocean users" generally can't be blamed for either.

What is the definition of an "ocean user"? Swimmers? People who rent snorkle gear? Deep sea fishers? People who rent surfboards? What about people who buy boogie boards at Costco? I believe that they are all ocean users but how are you going to collect from these groups? Or is this bill targetting permitted ocean recreation operators that already pay fees to state and county? Why single out this tiny protion of ocean "users"? Seems unfair and poorly targetted.

And who is a "non-resident" and how is the designated fee collector to determine that? What about someone who owns real-estate here but lives here part-time. How much time makes them resident or non-resident?

This sounds like a bookeeping nightmare for small businesses and (by reading other's testimony) for a manini fee that will cost more to administer than will be gained.

Maybe there is a better way to protect our precious marine ecosystems....

I suggest that we need instead a "per seat" environmental impact fee on all arriving airline passengers. Hawaii taxpayers could get a full rebate when they file thier taxes. This has the double benefit of incentivizing quality over quantity, which would also benefit our precious natural resources.

Thank you for considering.

HB-1019

Submitted on: 2/10/2021 8:34:15 PM

Testimony for WAL on 2/11/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Pauline Fiene	Mike Severns Diving	Oppose	No

Comments:

Aloha Chair and Committee members ~

My name is Pauline Fiene and I am the owner/operator of a small dive boat operation that has been in business here on Maui for 42 years. I am writing in opposition to HB1019. During the decades that I have been diving on Maui I have had a front row seat to the degradation to some of Maui's coastal reefs. So I am absolutely in favor of a special fund for DAR to do conservation work.

However, the ocean recreation industry already pays 3% of our income to DLNR. I believe that the proposed Non-Resident User Fee should be more broadly shared by all visitor industries such as hotels and car rentals as well as any developer whose project is upslope from the ocean. That would send a statement that caring for Hawaii's reefs is everyone's responsibility, not just the responsibility of someone who rents paddleboards or who takes snorkelers out on a raft. Particularly since it is well-documented that most of the degradation to our reefs has been caused by run-off, fertilizers and chemicals – land-based sources.

In addition, to levy a second fee on one of the hardest hit industries (boats are only allowed to take 50% of their normal passengers), some of which have not survived the covid shut-down and others which will take years to climb out of the debt incurred, could not happen at a worse time. Ocean recreation companies are some of Hawaii's smallest businesses. My dive boat can take out just SIX people each day. Compared to mainland-based hotels and rental car companies that service hundreds of visitors per day, it is tone deaf to put the burden of financing this worthy cause on small, local family-run businesses.

Mahalo for your thoughtful attention to this important matter.

~ Pauline Fiene

Kihei, Maui, Hawaii

HB-1019

Submitted on: 2/10/2021 9:15:40 PM

Testimony for WAL on 2/11/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
victoria martocci	Extended Horizons Scuba	Oppose	No

Comments:

Aloha Chair Tarnas, Vice Chair Branco and committee members,

My name is Victoria Martocci and I'm testifying today in OPPOSITION to HB1019 as written.

As both an individual and on behalf of our mom-n-pop scuba shop, Extended Horizons, I wholeheartedly agree that Hawaii's marine ecosystems are important, and conservation is necessary.

Since 1983 we have been teaching ecology and stewardship to visitors. We spearheaded installation of day-use moorings on West Maui and Lanai in 1994 to protect reefs from anchor damage, and we continue to manage and maintain Maui's day-use moorings through volunteer work. Our vessel stopped using fossil fuels and converted to 100% biodiesel in 2000, and our shop runs on solar power. We organize and conduct regular cleanup dives. Conservation and teaching ecologic consciousness is a part of every dive briefing we give and how we guide our dives.

Conservation is the cornerstone of our scuba company ethos and our business model, and we support the concept of a DLNR DAR Ocean Stewardship Special Fund; however, this bill unfairly targets the Commercial Ocean Recreation industry. "The increasing popularity of marine ecotourism requires greater measures to ensure the continued health of our marine ecosystems" implies that marine ecotourism, aka Commercial Ocean Recreation, is the reason conservation is needed, when in fact much larger local issues of shoreline sedimentation, land-based pollution, destructive fishing practices, rising sea temperatures, and ocean acidification heavily impact Hawaii's marine ecosystems. No one can deny that Commercial Ocean Recreation is not the sole variable in marine ecosystem health; therefore, revenue for a special fund should be more broad to include other related sectors such as air travel, visitor lodging, rental cars, golf courses, and development projects, just to name a few. Ensuring 'continued health of our marine ecosystem' can only be successful with participation from all sectors.

Additionally, the proposed Non-Resident User Fee is redundant. The Commercial Ocean Recreation industry already has a 3% User Fee to DLNR. Having a portion of that already existing User Fee allocated to a special conservation fund would be welcomed, rather than creation of a second, new User Fee. Even if the nuance is that the two fees would go to different funds, for different purposes, the fact remains that the same individual will be charged a User Fee twice by the same Agency.

Lastly, the ongoing covid19 pandemic has impacted the Commercial Ocean Recreation industry with complete closure, and even today the restriction to 50% capacity. Businesses are struggling to stay afloat and keep employees working. It's unreasonable to burden this industry with yet another fee at this time, not to mention its associated, highly problematic bookkeeping.

Thank you for the opportunity to testify.

-Victoria Martocci
Director of Operations
Extended Horizons Scuba
Lahaina | Maui | Hawaii

Testimony In OPPOSITION to HB1019 Relating to Ocean Stewardship

To the House Committee on Water and Land
Hawaii State Capital, Conference Room 430
February 11, 2021
8:30 am

Chair Tarnas, Vice Chair Branco, and the members of the committee

Thank you for the opportunity to testify in OPPOSITION of HB1019 as written.

The merits of this bill are noble, we all would like to see our oceans protected for generations to come. Better conservation means that our kids will be left with a better ocean than was given to us.

My concerns with this bill are:

1. The visitor is going to bear the burden for the funding at a time when what we need are more visitors back to our islands.
2. The additional fee increase is levied on one industry only, Ocean Tourism. Ocean Tourism are not the bad guys.
3. Additional fees to an already hard hit industry during a pandemic could be the tipping point for small businesses who are struggling to survive.

What we seem to do with the visitors that arrive to our islands, is tax the heck out of them and grumble that they are here. My concern is the the visitor is already getting hit with a 10.25% Transient Accommodation Tax, car rental tax and fees are as much as 20% (facility charge, Hawaii State fee, License fee, county tax, and GET). In addition, DOBOR charges the Ocean Tourism industry 3% of our gross revenues, which in most cases is passed on to the guest as well. My concern is that we are eventually going to kill the goose that is laying the golden eggs for our state. Whether we like it or not, the visitor industry is that goose.

The Ocean Tourism industry should not be only business sector to bear the burden for this fee. As previously stated we already pay 3% of gross revenues to DOBOR. Why is the financial burden solely on one industry? Ocean Tourism doesn't even rank as far as reasons for a decline in ocean quality. The top contributors to our ocean's demise in Hawaii are warming water temperatures, injection well pollution, and mauka land use (fertilizer runoff, and construction to name two).

Adding additional fees to small business, and ultimately to the visitor, is just a bad idea at this time during a pandemic. We need help surviving, we don't need any more help from the government to put another nail into our coffin. The company I work for has been closed since March 19, 2020. We remain closed today and probably will not reopen until mid March. That is one year without revenue. That is one year without DOBOR getting their 3% fee, or the state receiving their GET from the tens of thousands of guests that we would have served.

In closing, I certainly am not opposed the establishment of a funding source for ocean stewardship, however, I am opposed to putting this burden on one industry, Ocean Tourism, and continuing to tell the visitor to go somewhere else (that is what higher taxes on them will do).

For these reasons I am in opposition to HB1019, and ask that this bill not mover forward.

Sincerely yours,

HB-1019

Submitted on: 2/10/2021 10:03:15 PM

Testimony for WAL on 2/11/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jessica Pickering	Maui Diving - Scuba & Snorkel Center	Oppose	No

Comments:

Thank you committee members and Chairperson for hearing my testimony. I am opposed to HB1019 because I don't think it is the right action to take to save our oceans. I am an active member of ocean conservation on Maui. I pay a 3% water activity tax already on every activity (scuba diving) I run in the ocean. We, divers, are the ONLY group of ocean activities that constantly IMPROVE the state of our oceans with clean ups and dive against debris dives to pick up trash that settles to the bottom of the ocean. It makes no sense to further tax this small segment of the population that is already trying to do good for the ocean. It's going about things all the wrong way. Tax the rental cars, or the sewage treatment plant, or the destruction caused by runoff all over this island, or the hotel rooms filled with tourists that fill the oceans with snorklers stepping on corals and soaking the bays in chemicals leaching from their bodies (perfumes, hair care, lotions, and sunscreens). We ocean activity companies love the ocean and constantly try to do better by it. We have struggled enough through 2020. With reduced capacity on boats and group size limits as well as complete shut downs, those of us that are left are just trying to get enough business to pay employees and keep people off unemployment again. To tax the few customers we do have coming in again is not the answer. Please consider my words and oppose HB1019 with me.

HB-1019

Submitted on: 2/10/2021 9:24:30 PM

Testimony for WAL on 2/11/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Bishop	Friends of Hanauma Bay	Support	No

Comments:

To: Committee on Water & Land (WAL)

Representative David Tarnas, Chair

Representative Patrick Branco, Vice Chair

Re: HB1019 Relating to Ocean Stewardship

Hearing: Thursday, February 11, 2021 8:30 A.M. House Conference Room 430 & Videoconference

Position: Strong Support

Aloha Chair Tarnas and Vice Chair Branco,

Thank you for the opportunity to testify in strong support of HB1019.

Visitors to Hawaii have enjoyed our abundant ocean resources without contributing directly to management of those resources for decades. SB1173 would provide a framework for the Department of Land and Natural Resources (DLNR) to begin collecting nominal fees from visitors for the use and enjoyment of the State's ocean resources. These fees would provide needed revenues to DLNR for marine resource conservation, restoration, enhancement, research, and educational activities.

Residents and visitors alike would benefit from healthier marine ecosystems. Commercial ocean tour operators would benefit directly by being able to offer more enjoyable experiences to their customers. Customers will have the satisfaction that their experience is contributing to marine resource conservation, restoration, and enhancement, thereby focusing on the importance of Hawaii's growing pivot to ecotourism. It is a win/win situation for Hawai'i's residents, visitors, businesses, resource managers, and most importantly the ocean resources themselves.

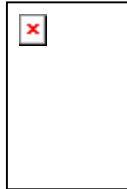
Please support HB1019, and mahalo for the opportunity to testify.

Respectfully,

Lisa Bishop

President

Friends of Hanauma Bay



Jill Mickelsen

PO Box 12495
Lahaina, Maui, Hi. 96761
Ph. or Fax (808) 667-0605
Jilibean@hawaii.rr.com

Hawaii House of Representatives
Hawaii Senate
Thirty-First Legislature, 2021
State of Hawaii

February 10, 2021

To whom it may concern:

I would like to submit the following testimony in **OPPOSITION** to HB1019 and SB1173.

I agree with the merit of these bills, but strongly oppose the funding basis to be levied on the Ocean Recreational Industry. As a commercial boat operator for over 30 years, I take pride in the fact that I have an opportunity to educate so many people about our beautiful, yet fragile ecosystem. We commercial boat operators ARE the stewards of our ocean realm.

- Look, but don't touch
- Reef safe sunscreen, and apply ½ hr before entering water
- Ensure whales, dolphins, turtles, monk seals get their space
- Pick up marine debris
- Report fuel spills
- Report entanglements

WE as commercial boat operators cannot change global warming – the number one cause of coral reef derogation. Nor can we control runoff or pollution. – Number 2 & 3. WE CAN educate.

WE, as commercial boat operators, already pay a User Fee of 3% to DLNR. If the intent of these bills are to raise monies for “Ocean Stewardship special fund”, kindly look elsewhere, or mandate funds out of our 3% to go directly to the “Ocean stewardship special fund”. Many of us in the industry are barely hanging on. While forced to close due to COVID, we still had overhead to cover. Now that we are able to run, we are at 50% capacity.

WE cannot afford another fee!

Thank you, for the opportunity to testify. And thank you for addressing this critical issue. As I tell my passengers, I want my son, his kids, and his kids kids and his kids kids kids to be able to experience our Hawaii Ocean Realm.

Aloha,
Jill Mickelsen

HB-1019

Submitted on: 2/10/2021 10:08:40 PM

Testimony for WAL on 2/11/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Heidi Lee	Kolea Charters of Lahaina	Oppose	No

Comments:

Aloha, thank you for the time and attention given to ocean conservancy as well as your work on behalf of our state.

I'm a scuba diver, boat captain and operations manager for a charter vessel that's been operating out of Lahaina harbor since 1991 and I'm not in support of Bill HB1019. I've been with the company and visiting the same three reefs since 1993. I share with our passengers (eager to learn about Hawaii culture and who never get in the water while on the tour with us) the improved condition of two reefs in front of Lahaina Baby Beach and in front of the Harbor breakwall reef to Shark Pit since the mid 90s. They are pleased as are all of us residents to hear/see that once it became common practice to be more environmentally conscious and hotels and golf courses stopped using so much pesticide and chemicals in treating their grounds that the turtles no longer all have tumors and the algae blooms have lessened and coral has grown. This is despite the water now being several degrees warmer than it was then. I have underwater video of these reefs from 1994-1997 to give evidence of the improved condition of these two reef systems, the two reefs closest to Maui's busiest commercial harbor. This is also despite the many more commercial permits that seem to be allowed now.

Although there are more boats operating out of Lahaina Harbor, Mala and Kaanapali the fees and penalties for recklessness and violations of safe and clean practices are still in force and personally I see all crew being trained in their slips, at the ramp, on the beach and at the loading dock in the severity of ensuring no fuel, oil or hazardous material leak on to the docks or into the water. We will always try to do our part in keeping the ocean free of pollution because we're ocean lovers and thus consider it a privilege to be able to make our livings while being on (or under) the water.

I'm happy to report that the visitors aboard our boat (and the others I've crewed on) practically beg to learn what they can do to help keep the reefs healthy as they've usually adopted a life-of-less-plastic already, just to "save the turtles," even if they reside in the desert of CA or the mountains of TN. We get to tell them about how important it is to use reef safe products, especially sun block, not to touch coral and we love when they want to learn more about the animals they see.

When commercial boats interrupt their tours to pick up trash in the water from nets to picnic debris the passengers act as if they're part of an ocean conservancy project and proudly take pictures of the event as part of their tour.

When visitors confusedly ask about the litter they see on the side of the road on their way to Lahaina or to Hana we tell them that we're still working on educating everyone (visitors and residents) about how to keep things clean and safe. Fortunately visitors see the natural beauty past the trash and continue to pay the airfare, hotel and food and beverage prices to vacation here. We tell them we're honored they've chosen Hawaii as we know there are so many destinations they have from which to choose. They of course remark at how expensive it is here and we remind them of shipping costs and try to remind them that it's worth it as we point out the whales, dolphins, yellow tangs and the rainbows in the West Maui Mountains.

If we were to incur more costs to the guests and to businesses we will lose out to other destinations. Earning an income, justifying vacation spending, making revenue and paying bills has never been more difficult (for anyone other than hand sanitizer makers and plexiglass distributors) than it has been in the past 11 months. We ask that our law makers don't make running a business, providing jobs and hosting guests any more expensive and challenging.

If the 3% User Fee could be efficiently managed and spent to help conservancy would not all benefit?

Mahalo for considering these points and hearing about our experiences. Our crew would be happy to testify in the future.

HB-1019

Submitted on: 2/11/2021 7:46:03 AM

Testimony for WAL on 2/11/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jeff Strahn	Alii Nui Charters	Oppose	No

Comments:

We already pay 3% of our gross the the DLNR. Fees for other State agencies should come from the money already paid. This is not the time to raise fees.

Jeff Strahn

General Manager