


OFFICE OF HAWAIIAN AFFAIRS
‘Ōlelo Hō‘ike ‘Aha Kau Kānāwai
Legislative Testimony

SB1173 SD2
RELATING TO OCEAN STEWARDSHIP
Ke Kōmike Hale o ka Wai a me ka ‘Āina
House Committee on Water & Land

Malaki 18, 2021

8:30 a.m.

Lumi 430

The Office of Hawaiian Affairs (OHA) **SUPPORTS** SB1173 SD2, which would provide a mechanism for generating substantial and dedicated revenues to support 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, this measure could result in millions of dollars of revenues to protect and perpetuate the

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/evhcric_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_econeal/resources/execsumm.pdf.

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** SB1173 SD2. 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).

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, March 18, 2021
8:30 AM

State Capitol, Via Videoconference, Conference Room 430

In consideration of
SENATE BILL 1173, SENATE DRAFT 2
RELATING TO OCEAN STEWARDSHIP

Senate Bill 1173, Senate Draft 2 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 supports this administration bill and offers the following comments and suggested amendments.**

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. Senate Bill 1173, Senate Draft 2 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
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
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 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.

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.

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.

The Department understands the concerns expressed by some members of the ocean tourism industry that a user fee could negatively impact their businesses, especially during the COVID-19 pandemic. **The Department supports amending the bill to be consistent with House Bill 1019, House Draft 1, which limits the user fee to \$1, clarifies who the user fee will apply to, and delays implementation to 2024.**

Thank you for the opportunity to comment on this measure.



Testimony Before The
House Committee on Water and Land
IN SUPPORT OF SB 1173 SD 2
Thursday, March 18, 2021, 8:30AM, Room 430

Aloha Committee Members,

We are Kevin Chang and Miwa Tamanaha Co-Directors 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 generally supports SB 1173 SD 2. 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 the Limu Hui a growing groups of 60+ 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.

SB-1173-SD-2

Submitted on: 3/16/2021 8:49:34 AM

Testimony for WAL on 3/18/2021 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

March 18th, 2021

8:30 am

Hawaii State Capitol – Conference room 430

RE: SB 1173, Relating to Ocean Stewardship

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

Thank you for the opportunity to submit testimony on Senate Bill 1173.

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.

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).

Pacific Whale Foundation believes the fee structure should include all kinds of nonresident users that either actively utilize Hawai'i's marine resources or contribute to their degradation through terrestrial activities. We propose accountability mechanisms that ensure the money is being spent on its intended purposes.

Thank you for the opportunity to testify on SB 1173.

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.

**Testimony of The Nature Conservancy
In Support of SB 1173 SD2 RELATING TO OCEAN STEWARDSHIP
Committee on Water and Land
Thursday, March 18, 2021, 8:30 AM
Conference Room 430, via Videoconference**

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

The Nature Conservancy supports SB 1173 SD2 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. SB 1173 SD2 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 SB 1173 SD2 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.

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.

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Testimony – In Support

March 16, 2021

HOUSE COMMITTEE ON WATER AND LAND

Re: **SB1173, SD2 RELATING TO OCEAN STEWARDSHIP**

Hearing: **Thursday, March 18, 2021, 8:30 am**

Aloha Chair Tarnas, Vice Chair Pihana Branco, and Members of the Committee:

Mālama Pūpūkea-Waimea (MPW) is a Hawai'i non-profit organization founded on the North Shore of O'ahu in 2005. Our mission is "working to replenish and sustain the natural and cultural resources of the Pūpūkea and Waimea ahupua'a for present and future generations through active community stewardship, education, and partnerships." Our stewardship and education efforts have focused on the Pūpūkea Marine Life Conservation District (MLCD), one of only three MLCDs on O'ahu.

We strongly support SB1173 SD2, which establishes the ocean stewardship special fund and ocean stewardship user fee for the collection and use of moneys for the conservation, restoration, and enhancement of the State's marine resources.

Through grants, donations, volunteer time, and sheer hard work for nearly two decades, our organization - like many others statewide - has **donated** the equivalent of **millions of dollars** worth of community stewardship support to protect the marine resources of the Pūpūkea MLCD. We support the State doing more to fulfill its **kuleana** as the primary public trustee of this resources. **This bill will help.** The community-DLNR partnership provides the best solution for the long-term protection, and abundance of, our ocean resources.

With decreasing budgets and increasing demand for marine resources, **DLNR needs additional revenue sources dedicated to marine conservation.** User fees directly connected to investment in the resources being used and enjoyed makes a lot of common sense, are more supported by users, and much needed. This bill helps the State and all communities who are providing volunteer ocean stewardship key funding toward attainment of Hawai'i's important "30x30" goal.

Please support the bill and move it along! Mahalo nui and best regards,

Denise Antolini, President, MPW

SB-1173-SD-2

Submitted on: 3/16/2021 11:21:09 PM

Testimony for WAL on 3/18/2021 8:30:00 AM

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

Comments:

To: The Honorable Representative David Tarnas, Chair

The 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 SB1173 SD2 RELATING TO OCEAN STEWARDSHIP

Hearing Date: [Thursday, March 18, 2021, 8:30 am, by videoconference](#)

Position: STRONG SUPPORT FOR SB1173 SD2!

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

The HAWAI'I REEF AND OCEAN COALITION – HIROC – **strongly supports SB1173 SD2!** 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 are under great stress and need funding for protection! Coral bleaching, polluted runoff, unsustainable fishing, invasive species, certain petrochemical sunscreens, and abandoned or grounded vessels are all degrading our coral reefs and oceans that are critical for protecting our aquatic life and shorelines and maintaining our tourism and recreational economy. Much more funding is needed for the Department of Land and Natural Resources to protect our ocean and aquatic life.

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 one way to finance badly needed marine resource conservation, restoration,

enhancement, research and educational activities. Hawaii Reef and Ocean Coalition believes more funding is essential for maintaining our reef and ocean health, and so supports this bill.

Thank you for the opportunity to testify.

Hawaii Reef and Ocean Coalition (by Ted Bohlen)



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

COMMITTEE ON WATER & LAND

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Rep. Patrick Pihana Branco, Vice Chair

Rep. Sonny Ganaden Rep. Dee Morikawa
Rep. Bertrand Kobayashi Rep. Takashi Ohno
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NOTICE OF HEARING

DATE: Thursday, March 18, 2021
TIME: 8:30 a.m.
PLACE: VIA VIDEOCONFERENCE
Conference Room 430
State Capitol
415 South Beretania Street

**TESTIMONY OF THE OCEAN TOURISM COALITION PROVIDING
COMMENTS ON SB1173 SD2.**

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

The Ocean Tourism Coalition (“OTC”) supports the current language of HB1019 HD2, and kindly requests that the contents of SB1173 SD2 be replaced by the contents of HB1019 HD2.

Thank you for your time and the opportunity to comment.

Sincerely,

Denver S. Coon, Director, OTC

SB-1173-SD-2

Submitted on: 3/16/2021 9:20:48 AM

Testimony for WAL on 3/18/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Will Caron	Individual	Support	No

Comments:

Aloha committee members,

I support the concept of green fees taken from visitors to maintain and care for our precious natural resources and environment. If the committee feels a special fund should be created to accomplish this, I support that as well.

Mahalo.

SB-1173-SD-2

Submitted on: 3/16/2021 4:01:32 PM

Testimony for WAL on 3/18/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
John N. Kittinger	Individual	Support	No

Comments:

Testimony to the Hawaii State House Committee on Water and Land

March 18, 2021

8:30 a.m.

Hawaii State Capitol – Via Teleconference

RE: SB 1173, SD2, Relating to Ocean Stewardship

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

Thank you for the opportunity to submit testimony on Senate Bill 1173, SD2.

I strongly support SB1173. This bill establishes 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 authorizes the Department of Land and Natural Resources to collect user fees for the use and enjoyment of the State's ocean resources.

Currently, fees paid by most commercial ocean users go towards the maintenance and support of harbor/marina infrastructure, boating safety and navigation programs for vessels. An Ocean Stewardship Fee program would address the increasing challenge

of responsibly caring for Hawai'i's marine ecosystem and the important services it provides for current and future generations of residents and visitors to Hawai'i. Our state depends on healthy marine systems; they're what feed us, protect our shorelines, support our cultural practices, and maintain our state's billion-dollar recreation and visitor 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 act now. For decades, visitors have enjoyed Hawaii's ocean resources without contributing directly to management of those resources. Senate Bill 1173, SD2 would provide a way to begin collecting needed revenue from visitors to help fund marine resource restoration, conservation, and education. Residents and visitors 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 visitors will have the satisfaction that their experience is contributing to marine conservation in Hawaii.

The Ocean Stewardship Fee is an important step toward promoting conservation, restoration, and natural resource enhancement for our ocean waters.

Thank you for the opportunity to support this important bill, SB 1173, SD2.

Sincerely,

John N. (Jack) Kittinger,