

DAVID Y. IGE  
GOVERNOR



CRAIG K. HIRAI  
DIRECTOR

GLORIA CHANG  
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM  
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND  
OFFICE OF THE PUBLIC DEFENDER

**STATE OF HAWAII**  
**DEPARTMENT OF BUDGET AND FINANCE**  
P.O. BOX 150  
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE  
BUDGET, PROGRAM PLANNING AND  
MANAGEMENT DIVISION  
FINANCIAL ADMINISTRATION DIVISION  
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

**WRITTEN ONLY**  
TESTIMONY BY CRAIG K. HIRAI  
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE  
TO THE SENATE COMMITTEE ON WAYS AND MEANS  
ON  
SENATE BILL NO. 2659, S.D. 1

**February 22, 2022**  
**10:00 a.m.**  
**Room 211 and Videoconference**

RELATING TO THE DIVISION OF CONSERVATION AND RESOURCES  
ENFORCEMENT

The Department of Budget and Finance (B&F) offers comments on this bill.

Senate Bill No. 2659, S.D. 1, appropriates an unspecified amount of general funds for FY 23 to the Department of Land and Natural Resources for equipment, training, and the establishment of 20.00 full-time permanent positions for the Division of Conservation and Resources Enforcement.

B&F notes that, with respect to the general fund appropriation in this bill, the federal Coronavirus Response and Relief Supplemental Appropriations Act requires that states receiving Elementary and Secondary School Emergency Relief (ESSER) II funds and Governor's Emergency Education Relief II funds must maintain state support for:

- Elementary and secondary education in FY 22 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and

- Higher education in FY 22 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

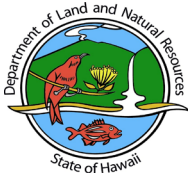
Further, the federal American Rescue Plan (ARP) Act requires that states receiving ARP ESSER funds must maintain state support for:

- Elementary and secondary education in FY 22 and FY 23 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 and FY 23 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

The U.S. Department of Education has issued rules governing how these maintenance of effort (MOE) requirements are to be administered. B&F will be working with the money committees of the Legislature to ensure that the State of Hawai'i complies with these ESSER MOE requirements.

Thank you for your consideration of our comments.

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 Senate Committee on  
WAYS AND MEANS**

**Tuesday, February 22, 2022  
10:00 AM**

**,State Capitol, Conference Room 211, Via Video Conference**

**In consideration of  
SENATE BILL 2659, SENATE DRAFT 1  
RELATING TO THE DIVISION OF CONSERVATION AND RESOURCES  
ENFORCEMENT**

Senate Bill 2659, Senate Draft 1 proposes to appropriate moneys to the Department of Land and Natural Resources' (Department) Division of Conservation and Resources Enforcement for purchasing equipment, funding training, and establishing twenty full-time equivalent (20.0 FTE) positions. **The Department supports this bill provided that its passage does not replace or adversely impact priorities indicated in the Executive Budget request.**

The Department is aware of the need to provide more proactive law enforcement work in state waters. This measure would create a dedicated marine patrol unit in each of the four counties focusing and specializing in marine patrol work. We believe this dedicated focus will establish a more frequent on-the-water presence that will enable the Department to provide greater protection of the State's marine resources, while also increasing recreational boating safety. This measure will also enhance the Department's law enforcement visibility and response in state waters.

Thank you for the opportunity to comment on this measure.

**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

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KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS



Testimony Before The  
Senate Committee on Ways and Means  
**IN SUPPORT OF SB SD1 2659**  
February 22, 2022, 10:00AM, Room 211

My name is Kevin Chang and I am the Executive Director of [Kua'āina Ulu 'Auamo \(or KUA\)](#). KUA works to empower grassroots rural and Native Hawaiian mālama 'āina groups 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 SB 2659 SD1 as an incremental step towards 'āina momona.** This bill would appropriate funds to the Division of Conservation and Resources Enforcement of the Department of Land and Natural Resources (DLNR-DOCARE) for purchasing equipment, funding training, and establishing 20.0 FTE positions.

KUA employs a community-driven approach that currently supports a statewide network of 36 mālama 'āina community groups collectively referred to as E Alu Pū (moving forward together), 40 fishpond projects and practitioners called the Hui Mālama Loko I'a, and a growing group of over 60 Limu practitioners and supporters called the Limu Hui. Members of these networks and future generations need a more resourced DOCARE and it is encouraging to see bills that will support this.

DOCARE officers are often the first representation community members get of DLNR. In some significant places it has long been known that there is an absence of almost any DLNR presence. A bill like this and the ongoing and growing DOCARE Academy you supported are beginning to fill that gap. More presence heightens awareness, influences behavior and also reflects the values our state and its people have wished to convey in our very constitution since 1972. Today a number of our network participants partner with DOCARE through growing community-based co-management initiatives from mauka to makai. Indeed, as we look to the future our communities are raising the kupa'āina who want to have jobs focused on mālama 'āina. Indeed, I am sure some of the submitted applications that recently inundated and exceeded the capacity of the DOCARE Academy enrollment portal came from these young people.

The communities we work with are committed to ensuring the long-term health of our biocultural resources. They have depended on them for generations. We believe our environment, the foundation of our very existence, is about long-term investment and a vision of 'āina momona. To get there it requires among other things greater capacity, new and more innovative career pathways, mindsets, relationships and resource flows for mālama 'āina. This definitely includes a properly resourced DOCARE. Passing this bill out of your committee will open a pathway toward reaching this vision.

Mahalo for this opportunity to testify in support.

Aloha 'Āina Momona.

**SB-2659-SD-1**

Submitted on: 2/18/2022 11:02:45 AM

Testimony for WAM on 2/22/2022 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Lauren Blickley	Testifying for Surfrider Foundation	Support	No

Comments:

Surfrider Foundation strongly supports SB 2659. Hawai'i needs much more proactive outreach and more law enforcement officers to care for our ocean waters. We desperately need marine patrol units for each county that would increase DOCARE's on-the-water presence and enable the State to provide greater protection of our shared marine resources. It would further increase boater safety.

Mahalo for your support of SB2659.



February 18, 2022

Re: **STRONG SUPPORT** for **SB 2659**: Relating to the Division of Conservation and Resources Enforcement

**Mālama Pūpūkea-Waimea**  
**Post Office Box 188**  
**Hale'iwa, HI 96712**

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**Staff**

*Jenny Yagodich, Director of Educational Programs & Makai Watch Coordinator*

**Federal Nonprofit Organization**  
**501(c)(3) FEIN 27-0855937**  
**[www.pupukeawaiimea.org](http://www.pupukeawaiimea.org)**  
**[info@pupukeawaiimea.org](mailto:info@pupukeawaiimea.org)**

Aloha Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Senate Committee on Ways and Means,

As you know, Mālama Pūpūkea-Waimea (MPW) is the community non-profit that cares for, educates about, and protects the fragile marine ecosystem of the Pūpūkea Marine Life Conservation District located on the North Shore of O'ahu.

We are proud to have been the first (and are currently the only) State of Hawai'i Makai Watch program on O'ahu, a collaborative statewide program where citizens and NGOs become directly involved with the Department of Land and Natural Resources (DLNR) in the management of marine resources through promoting compliance to rules, education, and monitoring.

We collaborate closely with the Division of Conservation and Resources Enforcement (DOCARE) and rely on their ability to respond to violations and enforce the rules and regulations protecting our marine resources. SB 2659 appropriates moneys to DOCARE for purchasing much needed equipment, funding training, and establishing 20.0 FTE positions that will directly benefit the health and abundance of our nearshore marine resources.

We strongly support SB2559.

Mahalo nui,

*Jenny Yagodich*

Jenny Yagodich  
Director of Educational Programs & Makai Watch Coordinator  
Mālama Pūpūkea-Waimea

**Testimony of The Nature Conservancy  
Supporting SB 2659 SD1, RELATING TO THE DIVISION OF CONSERVATION AND  
RESOURCES ENFORCEMENT.**

**Committee on Ways and Means  
Tuesday, February 22, 2022, 10:00 AM  
Conference Room 211 via Videoconference**

Aloha Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee:

The Nature Conservancy (TNC) supports SB 2659 SD1, Relating to the Division of Conservation and Resources Enforcement (DOCARE), which would appropriate funding to DOCARE of the Department of Land and Natural Resources (DLNR) for purchasing equipment, funding training, and establishing 20.0 FTE positions.

Hawai'i's environment is the engine that drives our economy and a natural, recreational, and cultural treasure that supports our island lifestyle and livelihoods. At the same time, our native forests and nearshore reefs and fisheries are threatened by local stresses from overharvest, sedimentation, and invasive species, as well as impacts from global climate change, including increasing storms, sea levels, and temperatures. DLNR is charged with protecting our natural environment, with DOCARE enforcing our natural resource protection laws. Enforcement is vital to ensure that the work to manage the environment is successful and sustainable.

Hawai'i needs much more proactive outreach and more law enforcement officers to care for our ocean waters. With the added positions, equipment, and training, DOCARE can create marine patrol units for each county. These units would meaningfully increase DOCARE's on-the-water presence and enable the State to provide greater protection of our shared marine resources, as well as increase boating safety. This bill will also enhance DOCARE's visibility, helping to deter unlawful activity, and will increase DOCARE's ability to respond to calls in state waters.

Mahalo for the opportunity to provide testimony on SB 2659 SD1.

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*The Nature Conservancy of Hawai'i and Palmyra 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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**SB-2659-SD-1**

Submitted on: 2/18/2022 1:43:44 PM

Testimony for WAM on 2/22/2022 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Christina Comfort	Individual	Support	No

Comments:

I am a resident of Pupukea, Oahu and I support SB 2659. Hawai'i needs much more proactive outreach and more law enforcement officers to care for our ocean waters. With the added positions, equipment, and training, DOCARE can create marine patrol units for each county. These units would meaningfully increase DOCARE's on-the-water presence and enable the State to provide greater protection of our shared marine resources, as well as increase boating safety. This bill will also enhance DOCARE's visibility, helping to deter unlawful activity, and will increase DOCARE's ability to respond to calls in state waters.

Personally, I have seen lots of poaching and protected species harassment on the north shore, where I live. I have taken action to try to stop poaching in the Pupukea-Waimea MLCDD by educating folks who are poaching and letting them know about fishing regulations, and I have also educated many people at Kaena Point who get too close to monk seals while they are resting. However, I am just another citizen and my remarks can be taken as a suggestion or ignored, and there is rarely to never a DOCARE officer available to enforce the regulations. It is clear that many people are unaware of the laws pertaining to our interactions with fish and marine mammals, and increasing the presence of DOCARE will help protect Hawaii's wildlife.

Mahalo,

Christina Comfort

Pupukea, HI



**SB-2659-SD-1**

Submitted on: 2/19/2022 10:17:46 AM

Testimony for WAM on 2/22/2022 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Shawna Moeschler	Testifying for WSRSL	Support	No

Comments:

I support SB 2659. Hawai‘i needs much more proactive outreach and more law enforcement officers to care for our ocean waters. With the added positions, equipment, and training, DOCARE can create marine patrol units for each county. These units would meaningfully increase DOCARE’s on-the-water presence and enable the State to provide greater protection of our shared marine resources, as well as increase boating safety. This bill will also enhance DOCARE’s visibility, helping to deter unlawful activity, and will increase DOCARE’s ability to respond to calls in state waters.

**SB-2659-SD-1**

Submitted on: 2/19/2022 1:45:00 PM

Testimony for WAM on 2/22/2022 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Mark Hixon	Individual	Support	No

Comments:

As a professional coral-reef fish biologist, I testify that there is strong scientific evidence of the reefs around Oahu and other islands near high population centers being severely overfished. Fish abundance on reefs around Oahu are less than 5% of their potential. This is neither because of poor land-use practices, which do contribute to the problem, nor because of the law-abiding majority of recreational hook-and-line fishers and free-diving spearfishers, but rather because of a thoughtless and/or selfish minority of our community pillaging our reefs. Despite increasing news media accounts of extreme overfishing that is caught and documented, there are far more cases of reef pillaging that escape prosecution, especially by laynets and SCUBA spearfishing at night. Why? Because DOCARE is severely understaffed, with only about 16 enforcement officers to cover the entire island of Oahu. SB 2659 will go far to enforce our fishing laws by ensuring that those pillaging our reefs are captured and prosecuted. For our keiki and the future of our coral reefs, I urge all legislators to pass this extremely important bill.

**LATE**

**SB-2659-SD-1**

Submitted on: 2/21/2022 3:02:29 PM

Testimony for WAM on 2/22/2022 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Daniela Escontrela	Individual	Support	No

Comments:

I support SB 2659. Hawai‘i needs much more proactive outreach and more law enforcement officers to care for our ocean waters. With the added positions, equipment, and training, DOCARE can create marine patrol units for each county. These units would meaningfully increase DOCARE’s on-the-water presence and enable the State to provide greater protection of our shared marine resources, as well as increase boating safety. This bill will also enhance DOCARE’s visibility, helping to deter unlawful activity, and will increase DOCARE’s ability to respond to calls in state waters.

**LATE**

**SB-2659-SD-1**

Submitted on: 2/22/2022 7:18:13 AM

Testimony for WAM on 2/22/2022 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Mark Heckman	Individual	Support	No

Comments:

Additional officers are long overdue. Everyone in the state knows enforcement of any rules by DLNR is a joke. There are simply not enough officers to cover any but the most flagrant offenses that happen during normal working hours - and most illegal fishing and such occurs outside of that time. Law abiding citizens follow the rules, but I can't even count the number of times I see illegal gill netting and other violations where DLNR just does not have the staff to respond. They try, but, give them some resources and our natural resources will finally start to rebound. Mahalo

**SB-2659-SD-1**

Submitted on: 2/22/2022 7:39:29 AM

Testimony for WAM on 2/22/2022 10:00:00 AM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Glenna Wong Public Relations	Individual	Support	No

Comments:

I FULLY SUPPORT SB 2859. AS OUR STATE IS SURROUNDED BY THE OCEAN AND OUR POPULATION CONTINUES TO GROW AND VISITORS ARRIVE, IT IS IMPERATIVE THAT OUR STATE HAVE A PRESENCE WITH MARINE PATROL UNITS TO PROTECT OUR SHARED RESOURCES. OUR OCEAN AND RESOURCES PLAY A MAJOR PART IN OUR CULTURE AND LIFESTYLE. THERE IS A GROWING PRESENCE OF UNLAWFUL ACTIVITIES IN OUR OCEAN WATERS AND THE NEED FOR FOR DOCARE TO RESPOND IN A TIMELY MANNER WILL HELP TO DETER ILLEGAL ACTIVITIES AND PROTECT OUR OCEAN FOR GENERATIONS TO COME. PLEASE KOKUA FOR OUR HAWAII'S FUTURE AND PASS SB 2659. MAHALO NUI LOA.