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GOVERNOR



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DIRECTOR

GLORIA CHANG  
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EMPLOYEES' RETIREMENT SYSTEM  
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OFFICE OF THE PUBLIC DEFENDER

**STATE OF HAWAII**  
**DEPARTMENT OF BUDGET AND FINANCE**  
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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 WATER AND LAND  
ON  
SENATE BILL NO. 2659

**January 31, 2022**  
**1:00 p.m.**  
**Room 229 & 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 appropriates an unspecified amount of general funds for FY 23 to the Department of Land and Natural Resources for equipment, training, and the establishment 20.00 full-time permanent positions for the Division of Conservation and Resources Enforcement.

B&F notes that 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.

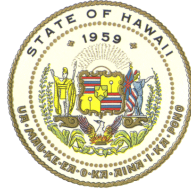
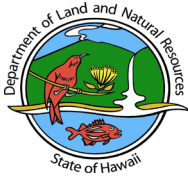
Further, the federal American Rescue Plan (ARP) Act requires that states receiving ARP ESSER funds must maintain state support for:

- 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  
WATER AND LAND**

**Monday, January 31, 2022  
1:00 PM**

**Via Video Conference, State Capitol, Conference Room 229**

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

House Bill 2659 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 and increased 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.

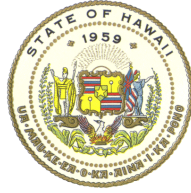
**SUZANNE D. CASE**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**ROBERT K. MASUDA**  
FIRST DEPUTY

**M. KALEO MANUEL**  
DEPUTY DIRECTOR - WATER

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

DAVID Y. IGE  
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**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

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KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS



Testimony Before The  
Senate Committee on Water and Land  
**IN SUPPORT OF SB 2659**  
Monday, January 31, 2022, 1:00PM, Room 229

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 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.



January 30, 2022

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

Aloha Chair Inouye and Members of the Senate Committee on Water and Land,

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

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

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

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

**SB-2659**

Submitted on: 1/28/2022 4:25:56 PM

Testimony for WTL on 1/31/2022 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Melissa Price	Individual	Support	No

Comments:

Enforcement is a critical part of effectively managing our natural resources for future generations, but currently DOCARE officers are spread very thin, reducing the attention they can give to any one need (trails, hunting, fisheries, etc.). Increasing the number of officers will enable more effective management of our land, water, and wildlife.

**SB-2659**

Submitted on: 1/29/2022 8:46:26 AM

Testimony for WTL on 1/31/2022 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Damien Kenison	Individual	Support	No

Comments:

Aloha no kakou, I am writing this letter in support of SB 2659.

It has long been established that DOCARE is severely underfunded and unable to properly serve the people of Hawaii in its capacity as the "konohiki" of our fishing communities. The rules and regulations or kapu that protects our i'a from inappropriate harvesting practices are not enforced adequately due to the inability of DOCARE to monitor the nearshore areas and ocean or respond to reported violations in an effective manner. It is incomprehensible that the largest revenue contributor to the State budget, tourism, is not a priority to our legislators. People come here from all over the world to experience the beauty of our natural resources, including the reef fish and other marine animals yet the care for them is a minimal 1% of the State budget. It is not only the tourists who are not prioritized but also the local residents, including the Native Hawaiians who depend on the ocean for mea'ai to help feed their families, especially during this pandemic. When I was young DOCARE was the enemy of lawai'a but the resurgence of traditional knowledge has revitalized our mana'o regarding what is pono and we understand that DOCARE can be our ally in our efforts to stop fishing that is not pono and protect our fisheries for our keiki and mo'opuna. Please help DOCARE to help us preserve and protect our 'umeke 'ai and ipukai for our ohana and visitors to our 'aina. Ke

Aloha Nunui,

Damien Kenison - Kauhako Ohana Association-  
Box 38, Honaunau HI  
96726

PO

<http://namamo9.wixsite.com/kauhakoohana>



**SB-2659**

Submitted on: 1/29/2022 12:17:21 PM

Testimony for WTL on 1/31/2022 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Kevin Chang	Individual	Support	No

Comments:

I support this bill. Lets keep building our capacity to take care of our home.

Aloha

Kevin

**SB-2659**

Submitted on: 1/29/2022 3:51:22 PM

Testimony for WTL on 1/31/2022 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Barbara Kaaumoana	Individual	Support	No

Comments:

Aloha Chair Inouye and Vice Chair Keith-Agaran,

I coordinate community volunteers to support resource protection and compliance with DLNR rules in Hanalei. For us, not having adequate DOCARE response frustrates these efforts frequently. Because DLNR presence is sporadic and unusual, reports to DOCARE seldom result in action. Because there is no action, bad behavior and damaging practices continue unabated.

I completely support the testimony of Kua Aina Ulu Auamo, an organization with whom we work. They represent our exp[erience and perspective exactly.

Please pass this bill and support our community efforts to help DLNR do the job. We will continue to do our share but we need your help.

Mahalo nui, Makaala Kaaumoana

Hanalei