



Hawai'i Convention Center  
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**kahua pa'a** web [hawaii-tourism-authority.org](http://hawaii-tourism-authority.org)

**David Y. Ige**  
*Governor*

**John De Fries**  
*President and Chief Executive Officer*

Statement of  
**JOHN DE FRIES**

Hawai'i Tourism Authority  
before the  
**COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION**

March 15, 2022  
9:00 a.m.  
State Capitol  
via videoconference

In consideration of  
**SENATE BILL NO. 3192 SD2**  
**RELATING TO NATURAL RESOURCE MANAGEMENT**

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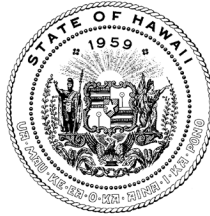
Aloha Chair Lowen, Vice Chair Marten, and members of the Committee on Energy & Environmental Protection.

The Hawai'i Tourism Authority (HTA) appreciates the opportunity to testify in **support** of SB3192 SD2, which establishes within the Department of Land and Natural Resources a visitor impact fee program to collect a fee to allow visitors to visit a state park, beach, state-owned forest, hiking trail, or other state-owned natural area. The measure also establishes the environmental legacy commission to allocate the revenues from the visitor impact fees to protect and manage Hawai'i's natural resources and appropriate monies.

We are supportive of funds generated through these impact fees being specifically utilized to protect and manage state-owned natural resources and associated amenities. Many of our state-owned natural resources are in desperate need of improvement due to years of deferred maintenance at these facilities. Preserving and protecting these important resources while also investing to enhance them will ultimately result in a better experience for visitors and residents.

We appreciate this opportunity to **support** SB3192 SD2. Mahalo.

DAVID Y. IGE  
GOVERNOR OF  
HAWAII



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

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  
ENERGY & ENVIRONMENTAL PROTECTION

Tuesday, March 15, 2022  
9:00 AM

State Capitol, Conference Room 325, Via Videoconference

In consideration of  
SENATE BILL 3192, SENATE DRAFT 2  
RELATING TO NATURAL RESOURCE MANAGEMENT

Senate Bill 3192, Senate Draft 2 proposes to establish a visitor green fee within the Department of Land and Natural Resources (Department) to collect a fee as a license required by visitors for usage of Hawaii's public beaches, parks, trails, coastlines, and environment. The Bill also establishes the environmental legacy commission to allocate the revenues from the visitor green fee to protect and manage Hawaii's natural resources and appropriates funds. **The Department strongly supports this measure and offers the following comments.**

Hawaii's natural and cultural resources are huge economic assets, prime attractions of our tourism industry, and support the well-being of our communities. A University of Hawai'i study examined the various services provided by O'ahu's Ko'olau forests - including drinking water recharge, flood prevention, water quality, carbon storage, biodiversity, cultural, aesthetic, recreational, and commercial values. These services were calculated to have a net present value of between \$7.4 and \$14 billion.<sup>1</sup> Coral reefs annually protect \$836 million in averted damages to property and economic activity in Hawai'i.<sup>2</sup> Despite the value of our forests and oceans, Hawai'i invests less than 1% of the total state budget into maintaining these assets.

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1 Roumasset, J., J.B. Kaiser, N. Krause, D. Mecham and J. Wooley. 1997. Draft Environmental Valuation and the Hawaiian Economy. University of Hawai'i Economic Research Organization, UH-Mānoa.

2 Storlazzi, C.D., Reguero, B.G., Cole, A.D., Lowe, E., Shope, J.B., Gibbs, A.E., Nickel, B.A., McCall, R.T., van Dongeren, A.R., Beck, M.W., 2019, Rigorously valuing the role of U.S. coral reefs in coastal hazard risk reduction: U.S. Geological Survey Open-File Report 2019-1027.

The establishment of green fees in several other tourism focused economies has allowed places like the Republic of Palau, Galapagos Islands, New Zealand, and the Maldives to allow greater investment in their natural resources - reducing the overall impact of tourism on their environments, improving the quality of visitor experiences, and supporting community stewardship of these special places. Visitors and many residents do not mind paying a green fee because they know it goes back to caring for the beautiful places and resources they have come to enjoy. In 2001, the Department conducted a study to determine Hawai'i's willingness to support increased funding for watershed protection. Respondents were presented with various means by which the increased funds could be raised (general funds, taxes, or fees). A majority supported the use of environment-related taxes (7.4 out of 10), or a visitor-related tax (8.0 out of 10).<sup>3</sup> Palau adds a green fee to all airline passengers leaving the island state and adds the funds to an environmental management fund. Palau, New Zealand, and Maldives have not experienced a decline in visitors due to their green fees.

The establishment of a green fee is an important piece to closing the gap between existing and needed funding for the management of Hawai'i's natural resources. This green fee along with innovative financing mechanisms such as carbon offsets for reforestation and improved forest management would move Hawai'i forward in addressing climate change and mitigating the impacts of Hawaii's tourism economy. A green fee program would bolster the State's existing investments in natural resource management and help fill Hawai'i's conservation funding gap.

The Department suggests eliminating *§171-E Environmental legacy commission; established; members*, and *§171-F Environmental legacy commission; powers; duties*, as it can create such a plan and manage the program in-house, as they do with several other programs, and can and report to the Legislature on expenditures and results. The Department feels an advisory committee would divert precious resources from the work of protecting and managing our natural and cultural resources.

The Department proposes the following amendment to this measure:

~~§171-E Environmental legacy commission; established; members. (a) There is established within the department the environmental legacy commission. The commission shall guide the Department's disbursement of revenue collected pursuant to this part.~~

~~(b) The commission shall comprise:~~

~~(1) The following ex officio members:~~

~~(A) The chairperson of the board of land and natural resources or the chairperson's designee, who~~

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<sup>3</sup> Department of Land and Natural Resources. November 2011. The Rain Follows the Forest: A Plan to Replenish Hawaii's Source of Water.

- ~~shall serve as the chairperson of the commission;~~
- ~~(B) The director of agriculture or the director's designee;~~
  - ~~(C) The director of the office of planning and sustainable development or the director's designee;~~
  - ~~(D) The chief executive officer of the Hawaii tourism authority or the chief executive officer's designee; and~~
- ~~(2) The following members, who shall be recommended to serve by the officials provided in this paragraph and shall be appointed by the governor in the manner prescribed in section 26-34:~~
- ~~(A) One representative of a nonprofit environmental organization having expertise on the protection, restoration, and care of terrestrial natural resources, who shall be recommended to serve by the chairperson;~~
  - ~~(B) One representative of a nonprofit environmental organization having expertise on the protection, restoration, and care of marine and coastal natural resources, who shall be recommended to serve by the chairperson;~~
  - ~~(C) One representative of a nonprofit environmental organization having expertise on climate change mitigation and resiliency, who shall be recommended to serve by the chairperson;~~
  - ~~(D) Up to two representatives from the Native Hawaiian community who have expertise in the protection, restoration, care, and interpretation of Native Hawaiian cultural resources, who shall be recommended to serve by the chairperson;~~
  - ~~(E) One representative between the age of eighteen~~

~~and twenty-five years of age, inclusive, who works or has worked in the field of environmental sustainability or restoration, or both, who shall be recommended to serve by the chairperson; and~~  
(10) ~~One representative from the visitor sector and Tourism industry, who shall be recommended to serve by the chief executive officer of the Hawaii tourism authority.~~

~~(c) A simple majority of the members shall establish a quorum.~~

~~(d) The members shall serve without compensation but shall be reimbursed for expenses, including travel expenses, necessary for the performance of their duties.~~

~~§171-F Environmental legacy commission; powers; duties.~~

~~(a) The commission shall guide and approve the department's disbursement of visitor green fee revenues deposited into the fund:~~

- ~~(1) For the purposes described in subsection (b) to restore, enhance, and protect, in perpetuity, Hawaii's state-owned natural resources and its unique and vulnerable ecosystem;~~
- ~~(2) With transparency and accountability; and~~
- ~~(3) In a manner that maximizes the effectiveness of the visitor green fee program.~~

~~(b) Subject to subsection (d), the commission shall allocate moneys deposited in the fund for projects that offset adverse environmental impacts caused by licensees, ensure that the State's natural resources are maintained for continued use by licensees, or both, such as projects that directly restore, enhance, and protect in perpetuity state-owned natural resources and the State's unique and fragile ecological status, including projects that:~~

- ~~(1) Protect, restore, or enhance terrestrial or marine natural resources;~~
- ~~(2) Increase of resilience and adaptation of Hawaii's natural resources with environmentally beneficial strategies to reduce the adverse impacts of climate change including coastal erosion, sea level rise, ocean acidification, coral bleaching, destruction of reefs, and other impacts; or~~
- ~~(3) Remove and control of invasive species and propagate and plant of native species.~~

~~Provided that the commission may allocate moneys to be expended directly by state agencies or may provide grants to nonprofit organizations, pursuant to section 171-H and subject to subsection (c), if the commission determines that no state agency has the expertise necessary to implement a project.~~

~~(c) In awarding grants, the commission shall prioritize projects that satisfy at least one of the following:~~

- ~~(1) Provide significant protection, restoration, and enhancement of Hawaii's natural resources; or~~
- ~~(2) Increase the accessibility, safety, and continued use of Hawaii state-owned natural, and outdoor recreational resources.~~

~~(d) In each year, no more than per cent of the allocation shall be allocated for grants to local governments and nonprofit organizations.~~

Thank you for the opportunity to comment on this measure.

**SB-3192-SD-2**

Submitted on: 3/13/2022 10:59:04 PM

Testimony for EEP on 3/15/2022 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Leah Laramée	DLNR	Support	Remotely Via Zoom

Comments:

I am available for questions to DLNR. Please allow me Zoom access.

DAVID Y. IGE  
GOVERNOR



CRAIG K. HIRAI  
DIRECTOR

GLORIA CHANG  
DEPUTY DIRECTOR

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

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

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 HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION  
ON  
SENATE BILL NO. 3192, S.D. 2

**March 15, 2022**  
**9:00 a.m.**  
**Room 325 and Videoconference**

RELATING TO NATURAL RESOURCE MANAGEMENT

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

Senate Bill (S.B.) No. 3192, S.D. 2: establishes the Visitor Impact Fee Program within the Department of Land and Natural Resources (DLNR) to collect a fee from visitors who visit a State park, beach, forest, hiking trail, or other State-owned natural area and allocate the revenue to protect State-owned natural resources; requires DLNR to issue a license upon visitor impact fee payment and post informational signs; establishes penalties for violations of the program; establishes the Environmental Legacy Commission (ELC) within DLNR to allocate the revenue from visitor impact fees to protect and manage Hawaii's natural resources; creates the Visitor Impact Fee Special Fund that would generate revenues through visitor impact fees, fines, legislative appropriations, grants, and gifts; appropriates an unspecified amount of general funds for FY 23 for deposit into the special fund, and an unspecified amount of special funds for FY 23 for the establishment of the ELC and a strategic plan; and requires an annual report to the Legislature.



As a matter of general policy, B&F does not support the creation of any special fund which does not meet the requirements of Section 37-52.3, HRS. Special funds should: 1) serve a need as demonstrated by the purpose, scope of work, and an explanation why the program cannot be implemented successfully under the general fund appropriation process; 2) reflect a clear nexus between the benefits sought and charges made upon the users or beneficiaries or a clear link between the program and the sources of revenue; 3) provide an appropriate means of financing for the program or activity; and 4) demonstrate the capacity to be financially self-sustaining. Regarding S.B. No. 3192, S.D. 2, it is difficult to determine whether the proposed special fund would be self-sustaining.

In addition, 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.

**SB-3192-SD-2**

Submitted on: 3/11/2022 11:54:46 PM

Testimony for EEP on 3/15/2022 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jennifer Azuma Chrupalyk	Administrator of Mahiku A'o Mai - a Native Farm	Support	Written Testimony Only

Comments:

Yes!!!!!! Raise those state revenues and wherever someone has to clean up a public facility, charge. The mess that tourists make is not the expense that residents can afford to handle. With property values soaring a steep 25%, hardships are multiplying across the state. We need tourists to carry their own weight. It's killing our local families to carry all of this weight and to be accused of having "Hawaiian issues" about it.



**Board Members**

*President*

Jason Okuhama  
Managing Partner,  
Commercial & Business Lending

*Treasurer*

Marcus Kawatachi  
Deputy Director,  
Hawai'i Civil Rights Commission

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Trina Orimoto  
Clinical & Research Psychologist

Miwa Tamanaha  
O'ahu Resident

Derrick Kiyabu  
Hawai'i Island Resident

**HACBED Staff**

Brent N. Kakesako  
*Executive Director*

Merri Keli'ikuli  
*Office Manager & Program  
Support*

Corin Thornburg  
*Community-Based Economic  
Development Project Associate*

Date: March 12, 2022

To: Representative Nicole E. Lowen, Chair, Representative Lisa Marten,  
Vice-Chair, and members of the Committee of Energy & Environmental  
Protection

From: Brent Kakesako, Hawai'i Alliance for Community-Based Economic  
Development (HACBED)

Re: Support for SB 3192 SD 1

Aloha e Chair Lowen, Vice-Chair Marten, and Committee Members,

The Hawai'i Alliance for Community-Based Economic Development (HACBED) supports SB 3192 SD 2, which establishes within the Department of Land and Natural Resources a visitor green fee program to collect a fee to allow visitors to visit a state park, beach, state-owned forest, hiking trail, or other state-owned natural area and the environmental legacy commission to allocate the revenues from the visitor green to protect and manage Hawaii's natural resources.

HACBED was established in 1992 as a nonprofit statewide intermediary to address social, economic, and environmental justice concerns through community-based economic development and asset building strategies. It advances its mission with core competencies in the areas of community and organizational capacity building, community and economic development planning, and asset policy development and advocacy. Over time, what has rung true across the different communities HACBED has been blessed to support is the importance of choice and control in the lives of families across the state to achieve their vision for genuine wealth – and this is an opportunity to provide sustainable livelihoods grounded in this place. SB 3192 SD 2 would help to fill the \$360 million/year gap in conservation funding to address climate change impacts. Studies have also demonstrated huge support from both visitors and residents for a green fee. For example, the *Star-Advertiser* reported on February 9, 2022, that 70% of volunteers support charging tourists fees to certain state parks.

The COVID-19 situation has revealed the critical need to diversify our economy, build a more responsible tourism sector, and provide place-based careers for residents. SB 3192 SD 2 provides an opportunity to begin to shift our economy by centering on our 'āina and our people.

Mahalo for this opportunity to testify,

Brent N. Kakesako  
Executive Director

Hawai'i Alliance for Community-Based Economic Development



## **House Committees on Energy & Environmental Protection**

Thursday, February 24th, 2022, 10:00a.m. Conference Room 211

### **Hawai'i Alliance for Progressive Action Supports: SB3192 SD2**

Aloha Chairs Lowen, Vice Chairs Marten and Members of the Committee,

On behalf of the Hawai'i Alliance for Progressive Action (HAPA) I am submitting testimony in support of SB3192 SD2.

SB3192 SD2 establishes within the Department of Land and Natural Resources a visitor green fee program to collect a fee to allow visitors to visit a state park, beach, state-owned forest, hiking trail, or other state-owned natural area. The bill also establishes the environmental legacy commission to allocate the revenues from the visitor green to protect and manage Hawaii's natural resources.

HAPA supports this measure because we believe our natural and cultural resources are the backbone of our visitor industry. Green fee models and environmental licenses are successfully used across the world to address the environmental impacts of heavy stressors on ecosystems due to visitor traffic.

SB3192 SD2 would establish an innovative funding stream to support the critical conservation efforts needed to maintain Hawai'i as a healthy, sustainable region for future generations to enjoy, as well as a visitor destination.

Our beaches, parks, reefs, forests, hiking trails, and other natural resources are paramount to sustaining our way of life and, similarly, our economic engine. These resources are intertwined with our visitor sector, as the tourism economy depends on Hawai'i's iconic natural resources. However, our home is facing escalating visitor impacts, climate change, and localized threats to our ecosystems. It's been estimated that we currently face a conservation funding gap of \$360 million per year.

A transformational investment in Hawai'i's natural resources through a visitor green fee program provides a pathway to build environmental and economic resilience for our local communities and our visitor industry. By investing in our environment today, we can ensure that residents and visitors are able to enjoy our incomparable natural environment and island lifestyle in the future.

Please pass SB3192 SD2.

Mahalo for your consideration,

A handwritten signature in black ink, appearing to read 'Anne Frederick', with a stylized, cursive script.

Anne Frederick

Executive Director



Testimony Before The  
House Committee on Energy and Environmental Protection  
**IN SUPPORT OF SB 3192 SD 2**  
March 15, 2022, 9:00AM, Room 325

Aloha Chair, Vice-Chair and Committee members

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 -fishers, farmers, 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 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. Our vision of 'āina momona includes pathways to new economic and environmental regenerative opportunities for present and future generations.

**KUA supports SB 3192 SD 2 with suggestions as an incremental step on a pathway towards 'āina momona.** This bill establishes a green fee program to be administered by DLNR which will assemble an environmental legacy commission to allocate the revenues from the visitor green to protect and manage Hawaii's natural resources. We view the commission as significant in helping DLNR build capacity in its outreach and connection to uplifting communities through a culture of conservation. We suggest that in the development of this law that the public trust responsibilities of the state to the Native Hawaiian community through OHA, the federal commitment to reconciliation, Native Hawaiian traditional customary practices and rights to access resources be considered in the fees charged and in the use and dispensation of the funds. In addition, we recommend that Section 171F-c take into consideration supporting community capacity to steward resources be the kinds of "projects" considered.

In reading the preamble to this bill we also uplift the significance of the contribution that many state citizens, especially those in rural and Native Hawaiian communities across our state do beyond the payment of taxes for environmental care. They engage in practices of direct environmental management and governance often in collaboration with our too long under-resourced DLNR. They engage in this work as a matter of kuleana, subsistence and civic responsibility driven by values and practices embodied in our constitution. It is appropriate that this resource pathway should also support community capacity as an essential partner in environmental governance and management.

A primary function of KUA includes development of an 'auwai, a stream of resources, tools, bridges, relationships, and networks that help to cultivate and take our communities' work to greater levels of collective impact. A core catalyst for the flow in this 'auwai includes increasing the percentage of our economy which helps to manage and better the condition of the natural resources systems that sustain us. Indeed, the University of Hawai'i Economic Research Organization, with input from KUA and a number of partners (DLNR, Kupu, TNC, KS,OHA etc.) now tracks natural resource workforce development as a key part of a "Green Economy."

As we look to the future, our communities are raising the kupa'āina who want to have jobs focused on mālama 'āina. I am sure some of the submitted applications that recently inundated and exceeded the capacity of the DOCARE Academy enrollment portal came from these kinds of young people. We appreciate the necessary, creative and collaborative approaches our state supports that build the capacity and skills of the next generation with intention, and in a way that benefits ongoing community efforts to support ecosystem regeneration.

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 taking the steps toward greater self-sufficiency, development of a pipeline of new and more innovative career pathways, mindsets, relationships and resource flows for mālama 'āina. Passing this bill out of your committee will open an essential 'auwai toward reaching this vision.

Please pass this bill out of your committee and mahalo for this opportunity to testify.

Aloha 'Āina Momona.



**SB-3192-SD-2**

Submitted on: 3/13/2022 9:53:19 AM

Testimony for EEP on 3/15/2022 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Arwen Revere	Wild Kids	Support	Written Testimony Only

Comments:

Aloha Chair Lowen, Vice-Chair Marten, and Members of the Committee:

My name is Arwen Revere and I'm a high school student from Kailua and a representative for the environmental organization Wild Kids. Wild Kids is in strong support of SB 3192. We believe that this green initiative would be extremely beneficial in protecting our environment from the effects of tourism. Hawai'i's natural resources are vital to sustaining our way of life and most of our industries, including tourism. Without Hawai'i's iconic natural resources such as our forests and beaches, tourism would drop dramatically. The impacts of visitors, climate change, and localized threats to our ecosystems are becoming extremely destructive. Having an innovative funding stream such as the one suggested in SB 3192 would fund the critical conservation efforts that are needed to support Hawai'i's ecosystems. Wild Kids believes that we need sustainable tactics to protect the islands for future generations to enjoy. This includes the future of industries that depend on Hawai'i as a visitor destination. A visitor green fee program could provide methods to build environmental and economic resilience for our local communities. We believe that this green fee would be highly effective, as we have seen in other island communities such as Palau. Please invest in protecting our environment today, so we can ensure that residents and visitors are able to enjoy it for years to come.

Thank you for hearing our testimony.

Arwen Revere, on behalf of Wild Kids

# TAX FOUNDATION OF HAWAII

126 Queen Street, Suite 305

Honolulu, Hawaii 96813 Tel. 536-4587

SUBJECT: MISCELLANEOUS, Visitor Impact Fee

BILL NUMBER: SB 3192 SD 2

INTRODUCED BY: Senate Committees on Ways and Means

EXECUTIVE SUMMARY: Establishes within the Department of Land and Natural Resources a visitor impact fee program to collect a fee to allow visitors to visit a state park, beach, state-owned forest, hiking trail, or other state-owned natural area. Establishes the Environmental Legacy Commission to allocate the revenues from the visitor impact fee to protect and manage Hawaii's natural resources. Establishes the visitor impact fee special fund. Appropriates moneys.

SYNOPSIS: Adds a new part to chapter 171, HRS, to establish a visitor impact fee program.

Defines a “resident of Hawaii” as an individual who has: (1) Filed or paid state income taxes for the previous tax year; or (2) Established domicile in the State, as evidenced by documentation showing the individual's address, including any of the following: (A) A valid Hawaii driver's license; (B) A valid Hawaii state identification card; (C) A valid school identification card; or (D) Any other official document issued to the individual within the last thirty days by a government agency, financial institution, insurance company, or utility company in the State.

Defines a “visitor” as a person who is not a resident of Hawaii.

Requires visitors to pay a visitor impact fee of \$ \_\_\_ to obtain a license to visit a state park, beach, state-owned forest, hiking trail, or other state-owned natural area on state-owned land. Civil fines up to \$ \_\_\_\_\_ may be applied to visitors who visit such a resource without a license.

Establishes a special fund into which visitor impact fees will be deposited.

EFFECTIVE DATE: July 1, 2050.

STAFF COMMENTS: This fee may be subject to challenge as unconstitutional. The Privileges and Immunities Clause of the U.S. Constitution requires that “The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.” Although it has been held that a state may treat out-of-state residents differently in some situations, such as in granting licenses for recreational hunting, *Baldwin v. Fish & Game Commission of Montana*, 436 U.S. 371 (1978), the Court indicated that the result may be different when the nonresident is not given access to any part of the State to which they may seek to travel. *Id.* at 388. This is because the Court has recognized that the Constitution protects the right of citizens of the United States to travel freely throughout the land.

“We are all citizens of the United States,” the Court stated in *Crandall v. Nevada*, 75 U.S. 35 (1867), “and as members of the same community must have the right to pass and repass through

every part of it without interruption, as freely as in our own states. And a tax imposed by a state for entering its territories or harbors is inconsistent with the rights which belong to citizens of other states as members of the Union and with the objects which that Union was intended to attain. Such a power in the states could produce nothing but discord and mutual irritation, and they very clearly do not possess it.”

For these reasons we are concerned that the State is without power to limit access of visitors to places where residents are allowed.

We also are concerned about the definition of “resident” offered in the bill. The bill calls a person a resident if that person filed a Hawaii tax return or paid tax; nonresidents file Hawaii tax returns and pay income tax too, if they have Hawaii source income. The bill also allows a person to be classified as a resident if they have a utility bill or similar document showing a Hawaii address; the Hawaii address could be that of a second or third home.

Digested: 3/12/2022

**Testimony of The Nature Conservancy  
In Support of SB 3192 SD2, Relating to Natural Resources Management.**

**Committee on Energy and Environmental Protection  
March 15, 2022, 9:00 am  
Conference Room 325 via Videoconference**

Aloha Chair Lowen, Vice Chair Marten, and Members of the Committee:

The Nature Conservancy (TNC) supports SB 3192 SD2, Relating to Natural Resources Management, which establishes within the Department of Land and Natural Resources (DLNR) a visitor impact fee (sometimes called a green fee) program to collect funds and allow non-residents to visit a state park, beach, forest, hiking trail, or other state-owned natural area. The bill also establishes the environmental legacy commission to allocate the revenues from the visitor impact fee to protect and manage Hawai'i's natural resources, including grants to non-profit and other organizations.

SB 3192 SD2 would establish an innovative funding stream to support the critical conservation efforts needed to maintain Hawai'i as a healthy, sustainable home for future generations, as well as a world-class visitor destination. Our natural resources sustain our way of life, feed our families, and drive our local economy. Although Hawai'i's natural beauty is a top tourist attraction, conservation efforts receive less than 1% of the state's annual budget. A visitor impact fee could help close Hawai'i's conservation funding gap, which has been estimated at \$360 million annually.

A January 2022 poll<sup>i</sup> showed that Hawai'i voters overwhelmingly agree that tourists should pay their fair share to maintain and manage natural and cultural resources. Fully 88% of voters – nearly nine out of ten – agree with this assertion, and nearly two-thirds (63%) “strongly agree.” The poll also showed that two-thirds of Hawai'i voters support a \$50 per person green fee for visitors who use state and county beaches, parks and trails to fund programs to protect and restore land, water, wildlife and cultural resources impacted by tourism. There was also widespread support for funding management activities included in the bill, such as conservation of coral reefs and native forests.

Hawai'i's people and natural resources are being directly affected by climate change. We are experiencing increased flooding, coastal erosion, sea level rise, coral bleaching, loss of native forest, rising temperatures, increased threats of extinction for endangered species, and other impacts from the changing climate. DLNR and organizations like TNC are working to protect and restore our islands' critical natural resources. Additional funding is needed to maintain and increase the pace and scale of these conservation efforts to offset the growing impacts from climate change. The visitor impact fee in SB 3192 SD2 would allow for more sustained funding to scale efforts and address our conservation needs while supporting the development of green jobs to conserve and manage our natural resources without increasing fees or taxes on residents.

BOARD OF TRUSTEES

Duke E. Ah Moo Paul D. Alston (Chair) Kris Billeter Dr. C. Tana Burkert Anne S. Carter Richard A. Cooke III Ka'iulani de Silva  
Dave Eadie Matt Emerson Hon. Judith Epstein Dr. Alan M. Friedlander Benjy Garfinkle Sean A. Hehir Brett MacNaughton  
Kathy M. Matsui Janet Montag Alicia Moy Bradley E. Smith Julie Smolinski Peter K. Tomozawa Richard N. Zwern

A transformational investment in Hawai'i's natural resources through a visitor impact fee program is required to build environmental and economic resilience for our local communities and our visitor industry. By investing in our environment today, we can ensure that residents and visitors are able to enjoy our incomparable natural environment and island lifestyle for generations to come.

Mahalo for the opportunity to support SB 3192 SD2.

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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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<sup>1</sup> Fairbank, Maslin, Maullin, Metz & Associates (FM3) recently completed a survey of Hawai'i voters to assess their views on a range of environmental issues, including support for a \$50 fee collected from visitors to be used to protect and restore land, water, wildlife, and cultural resources that are impacted by tourism (sometimes referred to as a "green fee"). From Jan. 16-30, 2022, FM3 completed 1,088 online and telephone (landline and wireless) interviews with Hawai'i voters; this is inclusive of 720 interviews statewide as well as oversamples on key neighbor islands. The margin of sampling error for the study is +/-4.0% at the 95% confidence level; margins of error for population subgroups within the sample will be higher. Due to rounding, not all totals will sum to 100%. The study was funded by The Nature Conservancy, Resources Legacy Fund, and Trust for Public Land. A memo summarizing poll results is available upon request.



March 14, 2022

Representative Nicole Lowen  
Chair of the Energy & Environmental  
Protection Committee

Representative Lisa Marten  
Vice Chair of the Energy &  
Environmental Protection Committee

## **RE: Testimony in Support of SB 3192, SD2 Relating to Natural Resource Management**

Aloha Chair Lowen, Vice Chair Marten and committee members,

On behalf of Resources Legacy Fund (RLF), we are writing in support of SB 3192, SD2 relating to natural resource management, which establishes within the Department of Land and Natural Resources (DLNR) a program to collect a fee from visitors who visit a state park, beach, state-owned forest, hiking trail, or other state-owned natural area.

SB 3192, SD2 will enable the State of Hawai'i to invest hundreds of millions of dollars to protect and restore our natural resources for the enjoyment of present and future generations, while creating jobs for Hawai'i residents. The bill assesses a reasonable fee on tourists who visit state-owned beaches, parks, and trails to raise new funding for protecting and restoring Hawai'i's reefs, beaches, native forests, and other significant environmental resources. The revenues would provide significant benefits to each island. The fee would not be charged to Hawai'i residents.

Nearly two-thirds of Hawai'i voters support establishing a \$50 annual "green fee" that tourists would pay to offset impacts caused to Hawai'i's natural resources, according to a recent poll (see attachment).

Hawai'i residents already contribute to the protection and management of our natural resources through taxes. The "green fee" will provide benefits that go beyond what general funds are currently able to support. Projects funded by green fees can offer people a unique opportunity to foster environmental change, and can be part of a broader strategy that acts as positive reinforcement for tourists to be more conscientious.<sup>1, 2</sup>

Hawai'i is an opportune place to adopt a green fee program because of the way the natural environment is integrated into the visitor experience. Visitor green fees have been successfully implemented at other visitor destinations around the world, including the Galapagos Islands, New Zealand, and Palau. In addition, a visitor green fee program would indirectly support economic diversification by creating new public and private jobs.

SB 3192, SD2 provides you with an opportunity to protect Hawai'i's magnificent natural resources for present and future generations. We respectfully urge you to approve this important legislation.

Thank you for the opportunity to provide testimony in support of this important bill.

Sincerely,  
Jocelyn Garovoy Herbert  
Senior Program Officer, Resources Legacy Fund

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<sup>1</sup> González-Ramírez, J., Cheng, H., & Arral, S. (2021). Funding Campus Sustainability through a Green Fee—Estimating Students' Willingness to Pay. *Sustainability*, 13(5), 2528.

<sup>2</sup> Wabnitz, C. C., Cisneros-Montemayor, A. M., Hanich, Q., & Ota, Y. (2018). Ecotourism, climate change and reef fish consumption in Palau: Benefits, trade-offs and adaptation strategies. *Marine Policy*, 88, 323-332.



OPINION  
RESEARCH  
& STRATEGY

**TO** Interested Parties

**FROM** Dave Metz and Miranda Everitt  
FM3 Research

**RE:** Hawai'i Voter Views of a Green Fee

**DATE** February 2, 2022

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Fairbank, Maslin, Maullin, Metz & Associates (FM3) recently completed a survey of Hawai'i voters to assess their views on a range of environmental issues, including support for a \$50 fee collected from visitors to be used to protect and restore land, water, wildlife and cultural resources that are impacted by tourism (sometimes referred to as a "green fee").<sup>i</sup>

**The study found broad support for a \$50 per person fee for tourists using state and county beaches, parks and trails in Hawai'i to be used to protect and restore land, water, wildlife and cultural resources impacted by tourism.** In fact, after a brief exchange of pros and cons, support for a "green fee" increases to 72%.

Key findings of the study include:

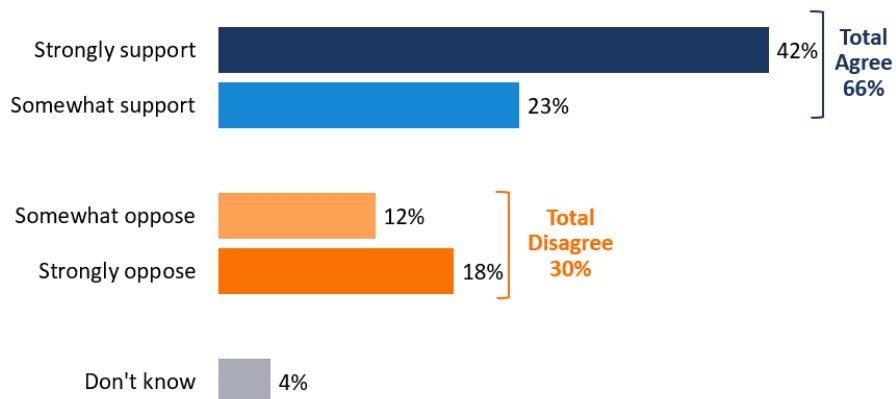
- **Two-thirds back a "green fee."** As shown in Figure 1 on the next page, 66% of Hawai'i voters support a \$50 per person fee for visitors who use state and county beaches, parks and trails to fund programs to protect and restore land, water and wildlife and cultural resources impacted by tourism. Notably, more than two in five (42%) "strongly support" such a policy.

Support is broad across demographic and geographic groups, including:

- 75% of Democrats, 61% of independents and 56% of Republicans;
- 64% of men and 67% of women;
- 72% of voters under 50, 59% of voters ages 50 to 64, and 62% of voters ages 65 and older;
- 66% on Oahu, 54% on the Big Island, 76% on Maui, and 77% on Kauai; and
- 74% of Native Hawaiians, 67% of Caucasian voters, and 67% of Asian voters.

**Figure 1: Support for a \$50 Visitor Fee to Protect and Restore Land, Water, Wildlife and Cultural Resources**

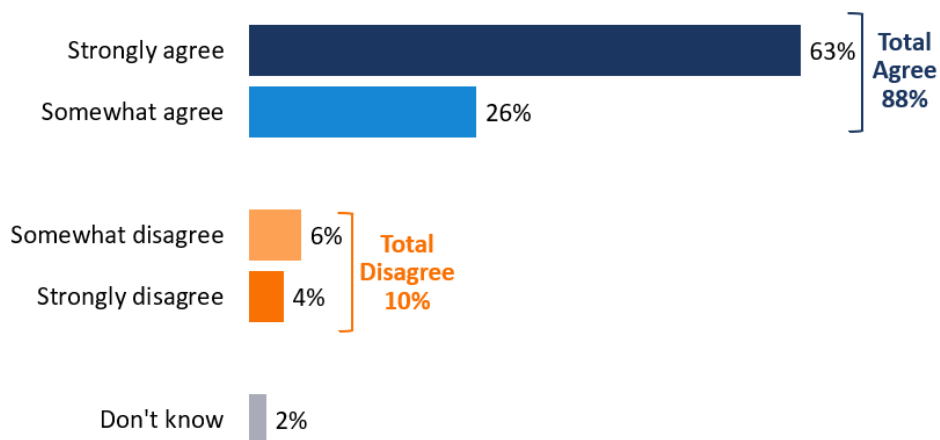
*Some people have proposed establishing a \$50 per-person annual fee that visitors would pay to use state and county beaches, parks, and trails in Hawai'i. Money raised would be used to protect and restore land, water and wildlife, and cultural resources that are impacted by tourism in Hawai'i. Does this proposal sound like something you would support or oppose?*



- Hawai'i voters overwhelmingly agree that tourists should pay their fair share to maintain and manage natural and cultural resources.** As shown in Figure 2 below, fully 88% of voters agree with this assertion -- and nearly two-thirds (63%) "strongly agree." This view is shared across major demographic and geographic subgroups throughout the state.

**Figure 2: Tourists' Role in Managing Natural and Cultural Resources**

*Next, I will read you some statements about the environment in Hawai'i. For each of one, please tell me if you agree or disagree: Tourists should pay their fair share to maintain and manage natural and cultural resources in Hawai'i*



- After a brief exchange of pros and cons, support for the green fee increases.** As shown in Figure 3 on the next page, overall support for the fee increases six points after voters hear the brief statements below describing the benefits and drawbacks of the policy, and more than half "strongly support" it (51%).

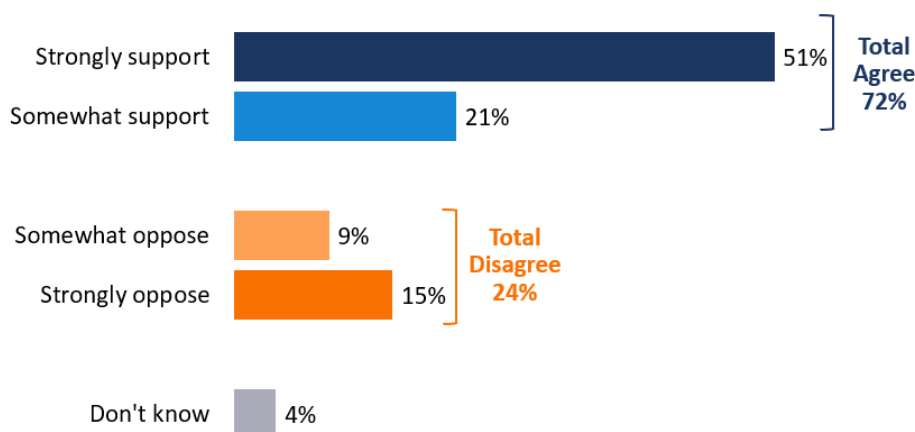


**Figure 3: Progression of Support for the Fee**

Supporters say that visitors benefit our economy, but they also put a lot of stress on our parks, trails, beaches, and environment. And today, Hawai'i spends less than 1% of its annual operating budget on protecting land, cultural resources, water, and wildlife. This fee could help protect these resources for future generations.

Opponents say that our economy depends on tourism, which has suffered from great uncertainty during the pandemic. This fee will make tourism more expensive and reduce the number of visitors that come here and cost local residents their jobs.

Having heard this, would you support or oppose establishing a \$50 per-person annual fee that visitors would pay to use state and county beaches, parks, and trails in Hawai'i, with resulting funds used to protect land, water, wildlife, and cultural resources, that are impacted by tourism?



- Voters especially value investments in coral reefs, forests, beaches and coasts.** Figure 4 shows the share who rated each "extremely" or "very important" uses of the proposed visitor fee. Their highest-ranking priorities have to do with coral reefs, beaches, coasts and forests -- though no single proposed purpose for revenue is important to fewer than three in five voters.

**Figure 4: Voter Priorities for Revenue**

Next, I am going to read you a list of specific projects and services that could be funded with money from the proposed visitor fee. Please tell me how important each one is to you: extremely important, very important, somewhat important, or not important.

Priority Area	Extremely/Very Important
Protecting and preserving our beaches and coasts	85%
Protecting and restoring coral reefs	84%
Protecting and restoring native forests	79%

Priority Area	Extremely/Very Important
Planting native trees	78%
Obtaining federal matching funds to protect land, water, and wildlife	78%
Restoring wetland and coastal areas, and reefs that provide protection against floods and sea-level rise	76%
Removing and controlling invasive species	74%
Providing funding to community groups to protect, restore, and manage local fisheries, coral reefs, and wildlife habitat	73%
Upgrading cesspools and septic tanks to reduce water pollution	71%
Providing funding to community groups to protect cultural resources and revive traditional agriculture and aquaculture	66%
Creating green jobs in conservation, energy efficiency, renewable energy, and agriculture	64%
Restoring and maintaining our hiking trails	62%

In sum, Hawai'i voters clearly see a role for visitors in protecting and maintaining the land, water, wildlife and cultural resources that are such a tourist draw. They support a \$50 per person fee for use of these resources, and especially value using that revenue for protecting of beaches, coasts, reefs and forests.

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<sup>i</sup> **Methodology:** From Jan. 16-30, 2022, FM3 completed 1,088 online and telephone (landline and wireless) interviews with Hawai'i voters; this is inclusive of 720 interviews statewide as well as oversamples on key neighbor islands. The margin of sampling error for the study is +/-4.0% at the 95% confidence level; margins of error for population subgroups within the sample will be higher. Due to rounding, not all totals will sum to 100%. The study was funded by The Nature Conservancy, Resources Legacy Fund, and Trust for Public Land.

**SB-3192-SD-2**

Submitted on: 3/13/2022 4:38:58 PM

Testimony for EEP on 3/15/2022 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Ted Bohlen	Hawai'i Reef and Ocean Coalition	Support	Written Testimony Only

Comments:

To: The Honorable Nicole Lowen, Chair, the Honorable Lisa Marten, Vice Chair, and Members of the House Committee on Energy and Environmental Protection

From: Hawai'i Reef and Ocean Coalition (by Ted Bohlen)

Re: Hearing SB3192 SD2 RELATING TO NATURAL RESOURCE MANAGEMENT.

Tuesday March 15, 2022, 9:00 a.m., by videoconference

Aloha Chair Lowen, Vice Chair Marten, and Members of the House Committee on Energy and Environmental Protection!

Position: **Hawai'i Reef and Ocean Coalition STRONGLY SUPPORTS SB3192 SD2 as a way to help fund some of the costs of protecting of our natural resources!**

**Visitors to Hawaii are loving our 'aina to death!** Visitors enjoying Hawaii's beautiful natural resources take a toll on our parks, beaches, forests, trails, and other State-owned natural resource areas. These areas must be protected and maintained, which is expensive. The costs of protection, upkeep, and maintenance that are not charged to visitors will otherwise fall on taxpayers. Or worse, the resources will not be maintained for lack of funding and be degraded.

**It is time to restore some fairness to the funding of natural resource conservation! This bill will facilitate charging visitors for some of the costs of maintaining Hawaii's natural resources.**

Mahalo!

Hawai'i Reef and Ocean Coalition (by Ted Bohlen)



3/15/2022

EEP Committee  
Hawai'i State Capitol  
Honolulu, Hawai'i 96813

Dear Chair Lowen, Vice Chair Marten, and Members of the House Committee on Energy and Environmental Protection,

**Position: Support SB3192 SD2.**

The Surfrider Foundation is a national nonprofit organization dedicated to the protection and enjoyment of our ocean, waves, and beaches. Surfrider maintains a network of over 150 chapters and academic clubs nationwide, including 4 chapters in the Hawaiian Islands. The Surfrider Foundation focuses on many aspects of the environment such as coastal protection, plastic pollution, and water quality.

The Surfrider Foundation, Hawai'i region, is testifying in **strong support of SB3192 SD2**, relating to Natural Resources Management, which would establish a visitor green fee program administered by the Department of Land and Natural Resources (DLNR), establish a fund and commission to direct use of the fees collected transparently, and for portions of the fund to support grants to non-profit and other organizations working to protect and restore Hawai'i's natural resources.

Our beaches, parks, reefs, forests, hiking trails, and other natural resources are paramount to sustaining our way of life and, similarly, our economic engine. These resources are intertwined with our visitor sector, as the tourism economy depends on Hawai'i's iconic natural resources. However, our home is facing escalating visitor impacts, climate change, and localized threats to our ecosystems. It's been estimated that we currently face a conservation funding gap of \$360 million per year.

**SB3192 SD2 would establish an innovative funding stream to support the critical conservation efforts needed to maintain Hawai'i as a healthy, sustainable region for future generations to enjoy, as well as a visitor destination.** A transformational investment in Hawai'i's natural resources through a visitor green fee program provides a pathway to build environmental and economic resilience for our local communities and our visitor industry. By investing in our environment today, we can ensure that residents and visitors are able to enjoy our incomparable natural environment and island lifestyle for decades to come.

For the past few years, the Surfrider Foundation has been involved in Hawai'i's green fee efforts. Building on the success of the natural resources allocation of the Honolulu Transient Accommodation Tax passing late last year, we're excited to have the opportunity to testify. Thank you for your consideration of this testimony in support of SB3192 SD2, submitted on the behalf of the Surfrider Foundation's 4 Chapters in Hawai'i and all of our members who live in the state and visit to enjoy the many coastal recreational opportunities offered by all of the islands' coastlines.

Sincerely,

Camile Cleveland  
Volunteer Policy Coordinator  
Surfrider Foundation, O'ahu Chapter



**HAWAII GOVERNMENT EMPLOYEES ASSOCIATION**  
AFSCME Local 152, AFL-CIO

**RANDY PERREIRA**, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

The Thirty-First Legislature, State of Hawaii  
House of Representatives  
Committee on Energy & Environmental Protection

Testimony by  
Hawaii Government Employees Association

March 15, 2022

S.B. 3192, S.D. 2 – RELATING TO NATURAL RESOURCE MANAGEMENT

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supports the purpose and intent of S.B. 3192, S.D. 2 which establishes a visitor impact fee program to collect a fee for visits to a state park, beach, state-owned forest, hiking trail, or other state-owned natural area and establishes the Environmental Legacy Commission to allocate the revenues collected.

Many of our local leaders across industries agree: the COVID-19 worldwide pandemic can and should be utilized as an opportunity to build back tourism in a thoughtful and sustainable way. With a record-setting 10 million visitors in 2019 but stagnant visitor spending, we are led to believe that many tourists are maximizing their stay by enjoying Hawai'i's natural – and free – attractions. Implementing a visitor impact fee for tourists will appropriately shift the funding burden from residents to visitors and will provide critical financial resources to preserve our reefs, beaches, and forests.

We appreciate that S.B.3192, S.D. 2 exempts local Hawai'i residents from the visitor fee, as many local families equally enjoy our state parks, beaches, and parks, and should not be financially deterred from continuing to do so.

Thank you for the opportunity to testify in support of S. B 3192, S.D. 2.

Respectfully submitted,

Randy Perreira  
Executive Director

## Testimony of Sustainable Coastlines Hawai'i

3/14/2022

Bill: **SB 3192**

Committee: House EEP

Position: **Support**

Hearing Date: 3/15/22 9:00 AM

Aloha Chair Lowen and Members of the Committee on Energy & Environmental Protection,

My name is Rafael Bergstrom, the Executive Director of Sustainable Coastlines Hawai'i (SCH), a local nonprofit with a mission to inspire communities to care for coastlines. SCH is in strong support of SB 3192 and the creation of a Visitor Green Fee. The vision of SCH is a world of inspired people, clean beaches, and healthy coastlines. Visitor engagement and education, volunteerism, and restoration efforts are all core actions of how we achieve our mission. Over the past 10 years SCH has removed 625,000 lbs. of debris from our coastlines, united 40,000 volunteers, educated 44,000 students, and waded through a destructive mess of plastic pollution. We are experts on plastic pollution, the consequences of inaction, and the solutions we have at our fingertips.

The impact of visitors to our islands can be seen everywhere. While it is of course necessary to acknowledge the economy that is created around this industry, it is equally, if not more important, to understand the negative externalities of that industry and be proactive in mitigating them. While inviting visitors to be better stewards of the islands should continue, it is not enough. Our islands run huge deficits when it comes to funding both reactive and proactive conservation and sustainability efforts. The current levels of impact are not sustainable for a livable future in Hawai'i. We need more funding to expand this work.

Models of similar fees have been effective across the globe and have great opportunity to create local jobs in protecting our islands for the future. Hawai'i is an ecological wonder and has a responsibility to have one of its biggest workforces be in conservation. In doing so, we will become a leader and model for the world.

We will continue to do our part with hands-in-the-sand and hands-in-the-soil work while engaging residents and visitors in opportunities to learn while restoring. Ideally everyone goes home from one of our events feeling empowered to take both individual and community action to protect our future. Mahalo for taking time to consider this important bill.

With Aloha,



Rafael Bergstrom

Executive Director

Sustainable Coastlines Hawai'i



**HAWAI'I LODGING & TOURISM**  
**A S S O C I A T I O N**

Testimony of  
Mufi Hannemann  
President & CEO  
Hawai'i Lodging & Tourism Association

House Committee on Energy & Environmental Protection  
Senate Bill 3192, SD2: Relating to Natural Resource Management  
March 15, 2022

Chair Lowen and members of the Committee, mahalo for the opportunity to submit testimony on behalf of the Hawai'i Lodging & Tourism Association, the state's largest private sector visitor industry organization.

The Hawai'i Lodging & Tourism Association—nearly 700 members strong, representing more than 50,000 hotel rooms and nearly 40,000 lodging workers—is grateful to the Senate for their willingness to listen to public comments on earlier version of this measure. After the amendments made by the Senate Committee on Ways & Means, HLTA is in support of this measure.

At HLTA, we often point to Hanauma Bay as a working model for impact fees. While a member of the Honolulu City Council in the 1990's, my colleagues and I instituted the following policies:

- An entry fee for all nonresidents
- A maximum of 3,000 visitors to the bay each day
- Closing the bay one day each week to allow the resource to rest and recover
- A \$1 parking fee for both residents and nonresidents
- Development of an educational program that highlighted the importance of Hanauma Bay and ongoing conservation efforts
- The establishment of the Hanauma Bay Fund where all collected fees would be pooled

While we would prefer that any impact fee legislation more closely follow the Hanauma Bay model, we feel that the current draft of SB3192 is a positive step in the right direction. Particularly, we appreciate the alteration of the original bill to refer to these fees as impact fees. In previous testimony, we made clear the difference between green and impact fees, and we stand by our position that this measure proposes impact fees—a concept that we can support. We also strongly support the amendment that dictates that the funds allocated by this measure will be directed to “offset adverse environmental impacts caused by licensees or ensure that the State's natural resources are maintained for continued use by licensees”. Moreover, we support the inclusion of the Hawai'i Tourism Authority as a nominating body for members of the proposed Environmental Legacy Commission.

With these changes, HLTA supports House Bill 3192, SD2.

Mahalo for the opportunity to provide these comments.



*Maui Hotel & Lodging*  
ASSOCIATION

Testimony of  
Lisa H. Paulson  
Executive Director  
Maui Hotel & Lodging Association

House Committee on Energy & Environmental Protection  
**Senate Bill 3192 SD2: Relating to Natural Resource Management**  
March 15, 2022, 9:00 am  
Conference Room 325

The Maui Hotel & Lodging Association (MHLA) is the legislative arm of the visitor industry for Maui County. We represent over 170 property and allied business members, over 19,000 rooms, and 12,000 employees. **MHLA is in support of Senate Bill 3192 SD2**, which establishes within the Department of Land and Natural Resources a visitor impact fee program to collect a fee to allow visitors to visit a state park, beach, state-owned forest, hiking trail, or other state-owned natural area. Establishes the Environmental Legacy Commission to allocate the revenues from the visitor impact fee to protect and manage Hawaii's natural resources. Establishes the visitor impact fee special fund.

MHLA is in favor of the current draft of SB3192. We appreciate the modification of the original bill to refer to these fees as impact fees. We strongly support the amendment that dictates that the funds allocated by this measure will be directed to “offset adverse environmental impacts caused by licensees or ensure that the State's natural resources are maintained for continued use by licensees”. Additionally, we support the inclusion of the Hawai'i Tourism Authority as a nominating body for members of the proposed Environmental Legacy Commission

Thank you for the opportunity to provide this testimony.



**SB-3192-SD-2**

Submitted on: 3/15/2022 12:14:55 AM

Testimony for EEP on 3/15/2022 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ka Leo O Na ?Opio (KONO)	Ka Leo O Na ?Opio (KONO)	Support	Written Testimony Only

Comments:

Aloha,

We would like to express strong support for SB3192.

One of the biggest barriers to protecting our native species and environments is a lack of awareness and funding for conservation and management.

As an example, threatened and endangered birds in the continental US receive an average of 20x more state and federal resources than listed species of birds here in Hawai'i. One species from the 1990s to the early 2000s, the red-cockaded woodpecker, received more funding than all of the over 30 species of listed birds in Hawai'i combined.

Hawai'i also has more than 400 plants that have fewer than 50 individuals remaining, critically imperiled snails and invertebrates, and ongoing heavy impacts from invasive species.

SB3192 takes a tried and proven method of supporting natural resources around the world and here in Hawai'i. A great example is the recent visitor fee increases at places like Diamond head expected to raise over 12 million by the end of this fiscal year. These rate increases did not turn away visitors and have generated funding to significantly improve the health and wellbeing of these important natural places. SB3192 is inclusive, takes advantage of existing frameworks to establish accountability, and fills a critical need to restore our native ecosystems.

However this bills proposed timeline is too late. Many of the resources this bill is intending to protect will be gone by 2050. Please consider amending SB3192 to go into effect at the beginning of next fiscal or at the latest by 2025. Our natural resources cannot wait 28 years, we need action now. In 2018 there were over 400 'Akikiki on Kaua'i, by 2021 there were less than 40. We do not have the luxury of time, and we can't afford to wait.

Please make this amendment and support this bill.

## **Testimony in Support of SB 3192, Relating to Natural Resources Management Committee on Energy and Environmental Protection**

Aloha Chair Lowen, Vice Chair Marten, and Members of the EEP Committee,

My name is Dr. Jack Kittinger, and I am testifying as an individual in strong support of SB 3192, Relating to Natural Resources Management, which would establish a visitor green fee program administered by the Department of Land and Natural Resources (DLNR), establish a fund and commission to direct use of the fees collected, and disburse funds to support state programs and community grant programs working to protect and restore Hawai'i's natural resources.

I have personally spear-headed an initiative focused on establishing a visitor green fee here in Hawai'i for 5 years. Working with a set of partners from the conservation and tourism sectors, we have assess and develop the key policy, legal, and financing elements for a Hawai'i-based visitor green fee program. As written, **SB 3192 would establish a comprehensive visitor green fee program that increases our conservation funding, creates green jobs in our communities, and preserves our natural resources for future generations.**

The visitor green fee program that SB 3192 establishes will help us protect and manage our natural resources and the economic lifeblood that our "green infrastructure" creates for local residents and the visitor sector alike. Further, SB 3192 can enable our community groups, such as nonprofit organizations and DLNR, to scale the important work already being done to meet our current challenges of climate change. **I urge the committee to preserve funding allocation toward nonprofits organizations alongside DLNR and state-managed programs in SB 3192.**

Through my work as a conservation professional for over 15 years, I've had the privilege to observe visitor green fee programs in other areas of the world. The success of these programs, including the support of the visitor themselves, is contingent upon an accountability check within the program. **For this reason, I support the visitor green program to include the Environmental Legacy Commission, made up of members from sectors at hand.**

I want to thank the committee for hearing this bill and my testimony today. The resources at stake are paramount to Hawai'i, and deeply intertwined with our way of life. SB 3192 is a clear pathway to protecting, restoring, and enhancing Hawai'i for our local communities and the visitors we share it with.

Mahalo for the opportunity to testify,

Dr. Jack Kittinger

**SB-3192-SD-2**

Submitted on: 3/12/2022 8:15:38 AM

Testimony for EEP on 3/15/2022 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jeanne Herbert	Individual	Support	Written Testimony Only

Comments:

Aloha, I am strongly in support of a visitor impact fee. We are at crucial moment in managing the impacts of tourism on Hawai'i's environment. Every year we are severely underfunded for the management of trails, parks, beaches, coastal and marine environments, etc. The cost of the management and restoration falls on Hawaii residents' backs. It is well past time that visitors to Hawaii partner with residents in managing and restoring our 'aina. A vast majority of Hawaii residents support an impact fee. It has been a resounding success in many areas of the world, such as Palau. This would be a steady stream of revenue to support our 'aina, rather than depending on year to year budgets which fall far short of the required funds to support our natural resources. Please pass this bill so we can show more aloha for our 'aina.

Mahalo,

Jeanne Herbert

**SB-3192-SD-2**

Submitted on: 3/12/2022 1:59:35 PM

Testimony for EEP on 3/15/2022 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Carissa Cabrera	Individual	Support	Remotely Via Zoom

Comments:

Testimony in Support of SB 3192, Relating to Natural Resources Management

Committee Energy & Environmental Protection

Aloha Chair Lowen, Vice Chair Marten, and Members of the Committee,

My name is Carissa Cabrera, I'm a local marine conservationist, environmental advocate, and member of the green fee team. Today, I am testifying in strong support of SB 3192, Relating to Natural Resources Management, which would establish a visitor green fee program administered by the Department of Land and Natural Resources (DLNR), establish a fund and commission to direct use of the fees collected, and disburse funds to support state programs and community grant programs working to protect and restore Hawai'i's natural resources.

As this bill continues to progress and face amendments, I want to urge the committee of the critical need and closing window of opportunity that our home currently faces. Hawai'i faces severe and escalating impacts from climate changes, compounded by the pressure of the visitor sector and localized threats to our native ecosystems. SB 3192, as it stands, is our most comprehensive pathway to a program that bridges our conservation funding gap, gives back to our communities, and preserves our economic and ecological resources in perpetuity. **Immediate action for our environment and vulnerable island chain is paramount right now, I support swift and bold action to pass SB3192 for our communities, economic engine, and the archipelago that supports us all.**

In Hawai'i, our natural and cultural resources are irreplaceable, and found nowhere else in the world. The visitor industry, alongside the livelihoods of our communities, are supported by these iconic resources. A visitor green fee program such as the one proposed in SB 3192 can finance the conservation of these resources for generations to come. Further, SB 3192 can enable our community groups, such as nonprofit organizations and DLNR, to scale the important work already being done to preserve Hawai'i. **I urge the committee to pass a green fee program this session, in order to begin the needed restoration for our home as soon as possible.**

The success of green fee programs, including the support of the visitor themselves, is contingent upon effective outreach and transparency of the program. For this reason, I support the visitor green program to include the Environmental Legacy Commission, made up of members outlined in the most recent version of SB 3192.

I want to thank the committee for hearing this bill and my testimony today. The resources at stake are deeply intertwined with our way of life here, and it has never been more timely to implement a solution such as this one.

Mahalo for the opportunity to testify,

Carissa Cabrera

**SB-3192-SD-2**

Submitted on: 3/13/2022 12:55:50 PM

Testimony for EEP on 3/15/2022 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
brandon najarian	Individual	Support	Written Testimony Only

Comments:

Testimony in Support of SB 3192, Relating to Natural Resources Management

Committee on Energy & Environmental Protection

Aloha Chair Lowen, Vice Chair Marten, and Members of the Committee:

My name is Brandon Najarian; and I am testifying in strong support of SB 3192, Relating to Natural Resources Management, which would establish a visitor green fee program administered by the Department of Land and Natural Resources (DLNR), establish a fund and commission to direct use of the fees collected transparently, and for portions of the fund to support grants to non-profit and other organizations working to protect and restore Hawai'i's natural resources.

Our beaches, parks, reefs, forests, hiking trails, and other natural resources are paramount to sustaining our way of life and, similarly, our economic engine. These resources are intertwined with our visitor sector, as the tourism economy depends on Hawai'i's iconic natural resources. However, our home is facing escalating visitor impacts, climate change, and localized threats to our ecosystems. It's been estimated that we currently face a conservation funding gap of \$360 million per year.

SB 3192 creates a pathway for Hawai'i to be sustained for our local communities, and as a visitor destination. A program outlined in SB3192 facilitates an innovative funding stream to support critical conservation efforts needed to maintain Hawai'i as a healthy, sustainable region into the future. A transformational investment in Hawai'i's natural resources through a visitor green fee program provides a pathway to build environmental and economic resilience for our local communities and our visitor industry. By investing in our environment today, we can

ensure that residents and visitors are able to enjoy our incomparable natural environment and island lifestyle for decades to come.

The state markets itself to tourists as a paradise, a getaway from the hustle and bustle, escape to nature, etc. but we put very little resources towards cultivation of OUR paradise. By OUR, I mean the residents and locals who live on island and constantly have to watch our paradise be compromised for theirs. Enough is enough already, locals work the land, pay for the land, cultivate the land, and malama the land, just to see it be constantly marketed for others to enjoy. We get to watch the state and private landowners make profit from these places off of the work locals put into maintaining it, but barely any of it goes back to maintaining these places for the future. How can?

Mahalo for the opportunity to testify,

Brandon Najarian

**SB-3192-SD-2**

Submitted on: 3/13/2022 1:41:45 PM

Testimony for EEP on 3/15/2022 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Emily Holmberg	Individual	Support	Written Testimony Only

Comments:

With tourism being such an extractive industry here in Hawai'i, it is only right that that same industry and the stakeholders therein be required to give monetarily to protect the very natural environment that visitors, not to mention residents, enjoy. There is no Hawai'i without natural beauty, and it must be preserved.



**SB-3192-SD-2**

Submitted on: 3/13/2022 2:24:51 PM

Testimony for EEP on 3/15/2022 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Brett Schumacher	Individual	Support	Written Testimony Only

Comments:

Aloha,

I support SB3192, as it will provide additional revenue to help conserve our natural resources. Many visitors come to Hawai'i at least in part to enjoy the natural beauty of our islands, and it's reasonable to require a small fee to help maintain and enhance that beauty.

Best regards,  
Brett Schumacher

**SB-3192-SD-2**

Submitted on: 3/13/2022 2:26:41 PM

Testimony for EEP on 3/15/2022 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
natalia ramallo	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Lowen, Vice Chair Marten, and Members of the Committee:

My name is Natalia Ramallo; and I am testifying in strong support of SB 3192, Relating to Natural Resources Management, which would establish a visitor green fee program administered by the Department of Land and Natural Resources (DLNR), establish a fund and commission to direct use of the fees collected transparently, and for portions of the fund to support grants to non-profit and other organizations working to protect and restore Hawai'i's natural resources.

Our beaches, parks, reefs, forests, hiking trails, and other natural resources are paramount to sustaining our way of life and, similarly, our economic engine. These resources are intertwined with our visitor sector, as the tourism economy depends on Hawai'i's iconic natural resources. However, our home is facing escalating visitor impacts, climate change, and localized threats to our ecosystems. It's been estimated that we currently face a conservation funding gap of \$360 million per year.

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Mahalo for the opportunity to testify,

Natalia Ramallo

**SB-3192-SD-2**

Submitted on: 3/13/2022 2:49:38 PM

Testimony for EEP on 3/15/2022 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Tawn Keeney	Individual	Comments	Written Testimony Only

Comments:

Chair Lowen and members of the Energy and Environmental Protection Committee,

On Tuesday, 3/15, your committee will hold Hearing on SB3192 SD2. This could be among the most important bills considered in Legislature this year. I had previously testified against SB3192, however constructive but challenging discussion among the members of the ‘Green Fee Task Force’ (of which I am the Chair) of the Hawaii Environmental Change Agents group has led me to construct this Testimony. Please consider.

My objections to SB3192 were based on the following considerations:

1. Air transportation of Visitors to Hawaii accounts for twice the global warming Greenhouse Gas emissions as all of Hawaii’s domestic emissions combined, which includes ground transportation, electricity generation and refining of petroleum. [https://drive.google.com/file/d/1DvLCgMfqCV8PWoly-aBV4\\_GrD6u4Ek3m/view?usp=sharing](https://drive.google.com/file/d/1DvLCgMfqCV8PWoly-aBV4_GrD6u4Ek3m/view?usp=sharing)
2. The above fact, which is based on the CO2(e) calculation method for Aviation presented by the IPCC in it’s (2021) 6th Assessment Report (Code Red for Humanity) underscores that a Visitor Impact Fee should be based merely on Visitors flying here, rather than whether they go to the beach or park or trail.
3. It also suggests that the revenues from this fund should be designated toward Carbon sequestration resultant from this CO2(e) emissions burden from tourism here. Furthermore, the necessary adaptation to a sea level rise of 1 foot by 2050 trivializes this bill’s (SB3192 SD2) intention to fund restoration of our parks and beaches and trails with the Visitor Impact Fee. Please see the maps of the coastal inundation zones at 1 foot of sea level rise and the immense resultant economic damage: <https://www.pacioos.hawaii.edu/shoreline/slr-hawaii/>
4. This fund must be dedicated to mitigation and resilience from Global Warming. The visitors here must assume much of that burden due to emissions from their air transport here.
5. To assign the damage from tourism to our parks and trails and beaches limits the propriety of designating a Green Fee proportional to global warming impact of travel here. A \$20/night per person TAT fee would generate \$1.8 billion if no reduction in visitor numbers occurred. A one time fee as visualized in SB3192 should be at least \$100. The Hawaii Tourism Authority has

endorsed the idea of reducing the number of budget tourists while continuing to court the 'high end' visitor. HTA has also calculated that the 'average' visitor spends \$1800 on their trip to Hawaii. Placing a one time fee at \$100 to \$200 might diminish the number of visitors slightly, but the Hawaii residents would find that a desirable outcome.

6. All beaches in Hawaii are 'State Owned'. A Hotel or residence owns up to 20ft. (50ft.?) in front of the high water mark. This then complicates and demands solution to enforcement mechanisms ("I've got to pay to use the beach in front of my hotel?") which must be included in amendments to this bill. Without enforcement mechanisms this Visitor Impact Fee is essentially voluntary. If it is a trivial fee then voluntary would be sufficient. If the Fee achieves realism as above, 'voluntary' will no longer suffice. The mechanisms described or not described in this bill need to be designated with clarity. Are all visitors going to pin a tag on their swimwear announcing 'Fee Paid'?.

7. A bill as potentially profoundly consequential as this needs to have an imbedded feedback and adjustment mechanism. This feedback and adjustment mechanism needs to be operative on a yearly basis and needs to include a yearly opportunity to adjust the amount of Fee to be charged to visitors. This fee amount should also be under the jurisdiction of the proposed Environmental Legacy Commission for testimony, discussion and recommendations but must be confirmed and enacted by the Legislature and Executive Branch.

There is clearly some disjunction of intent between the description which I have given above and the presumed intent of the authors of this bill. This SB3192 could appropriately be described as a 'small bill' whereas the proposals above presume a 'big bill'. The problem with the 'small bill' is that it has appropriated the mechanism, the Visitor Impact Fee, that could be used by a much more important bill in the immediate or more extended future. Granted that a more meaningful fee on visitors could be called something else, other than Visitor Impact Fee, however this bill merely complicates the more important measures which this or a subsequent legislature needs to take to address visitor impact on our climate and environment. If a subsequent bill is introduced as 'Green Fee' it will be strongly argued that we already have a 'Visitor Impact Fee'.

Important comments from several members of the 'Green Fee Task Force', allows some resolution of this issue. Those members have pointed out that SB3192 SD2 is not appropriately named as 'Visitor Impact Fee'. The fee that is being charged in this measure SB3192 is a 'Use Fee' and this is an important distinction. SB3192 SD1 states the following:

§171-B Visitor impact fee program; license; signs. (a) There is established within the department the visitor impact fee program. The purpose of the program shall be to collect a fee from visitors and allocate that revenue to protect and manage state-owned natural resources. (b) Each visitor who is fifteen years of age or older who visits a state park, beach, state-owned forest, hiking trail, or other state-owned natural area on state-owned land shall first pay a visitor impact fee to obtain a license pursuant to this part. (c) The department shall place signs at state parks, beaches, state-owned forests, trail heads, other state-owned natural areas to inform visitors of the requirement to pay a visitor impact fee and obtain a license pursuant to this section.

Clearly, this is a fee charged for use of a "state park, beach, state-owned forest, hiking trail, or other state-owned natural area on state owned land..." The fee charged for such license is designated to be used for maintenance of those areas. The concept of 'Visitor Impact Fee' which has become widespread throughout worldwide visitor destinations however is generally more broad than this 'use fee' concept, and most often is used for all visitors accessing that destination whether they avail themselves of any particular natural venue within that destination. This is an important distinction because it suggests that the proper term 'Visitor Natural Resources Use Fee' would be substituted in SB3192 SD2 wherever the term 'Visitor Impact Fee' appears. This would allow that continued discussion would occur regarding the issues raised above and the possible and appropriate designation in next year's legislature that a true 'Visitor Impact Fee' or 'Green Fee' would be designed which would apply to all visitors for the reasons and in the manner as described above.

Please amend this bill SB3192 SD2 to replace the term 'Visitor Impact Fee' wherever it is used with the term 'Visitor Natural Resources Use Fee'.

It is not appropriate that the amount of the fee would be withheld from consideration by those submitting testimony. This is an entirely different bill if that amount is \$20 rather than \$200. Designation of this amount would certainly shape testimony, and as such the omission might trigger the same response from the Courts as did the recent 'Gut and Replace' opinion.

I noticed this statement in my in-box this AM: "Climate scientists say that we have less than 10 years to make the drastic changes needed to avoid a global climate catastrophe."

Mahalo for your consideration,  
Tawn Keeney MD

**SB-3192-SD-2**

Submitted on: 3/13/2022 3:56:16 PM

Testimony for EEP on 3/15/2022 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

NO FEES!!!

**SB-3192-SD-2**

Submitted on: 3/13/2022 6:12:07 PM

Testimony for EEP on 3/15/2022 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Scott Cooney	Individual	Support	Written Testimony Only

Comments:

Aloha,

In my opinion, visitors come to Hawaii mainly for our beauty and natural resources. It only makes sense that they should chip in for the protection of these resources through this Visitor Green Fee. I visited one place in the world where this was a thing, and it was totally ok, as a visitor, I respected the place more because they stood up for themselves and asked visitors to respect the place but also to chip in.

Highly encourage passage of this important measure.

Thank you,

-Scott



**SB-3192-SD-2**

Submitted on: 3/13/2022 6:22:55 PM

Testimony for EEP on 3/15/2022 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sam Gon III	Individual	Support	Written Testimony Only

Comments:

Much needed funds will be essential for the future of our natural resources, and this is a way to benefit visitors and residents alike via monies generated by human use of our parks and other state resource lands. Please establish this fee and the special fund to protect our resources

**SB-3192-SD-2**

Submitted on: 3/13/2022 6:29:43 PM

Testimony for EEP on 3/15/2022 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Stuart Coleman	Individual	Support	Written Testimony Only

Comments:

Testimony in Support of SB 3192, Relating to Natural Resources Management

Committee on Energy & Environmental Protection

Aloha Chair Lowen, Vice Chair Marten, and Members of the Committee:

My name is Stuart Coleman, and I am testifying in strong support of SB 3192, Relating to Natural Resources Management, which would establish a visitor green fee program administered by the Department of Land and Natural Resources (DLNR), establish a fund and commission to direct use of the fees collected transparently, and for portions of the fund to support grants to non-profit and other organizations working to protect and restore Hawai'i's natural resources.

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Mahalo for the opportunity to testify,

Stuart Coleman, 2927 Hibiscus Pl., Hon., HI 96815

**SB-3192-SD-2**

Submitted on: 3/13/2022 8:24:10 PM

Testimony for EEP on 3/15/2022 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lisa Lee	Individual	Support	Written Testimony Only

Comments:

I am in support of this bill. A green fee would give Hawai'i the ability to restore and protect our natural resources which are severely underfunded. I believe this will help our state agencies create a stronger impact. We have to start to really truly protect our aina. This bill will help guide us in the right direction.

**SB-3192-SD-2**

Submitted on: 3/13/2022 8:56:54 PM

Testimony for EEP on 3/15/2022 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Anjanette Naganuma	Individual	Support	Written Testimony Only

Comments:

Aloha,A

I am Anjanette Naganuma of Maui.

I support the establishment within the Department of Land and Natural Resources a visitor impact fee program to collect a fee to allow visitors to visit a state park, beach, state-owned forest, hiking trail, or other state-owned natural area. The Environmental Legacy Commission should allocate the revenues from the visitor impact fee to protect and manage Hawaii's natural resources. Please establish the visitor impact fee special fund.

Mahalo piha.

**SB-3192-SD-2**

Submitted on: 3/13/2022 9:19:27 PM

Testimony for EEP on 3/15/2022 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Samuel Wolff	Individual	Support	Written Testimony Only

Comments:

Please pass this bill so we can fund the protection of a truly unique and endangered environment that we can't wait any longer to save. People will spend top dollar to see plants and animals that can be seen nowhere else in the world and it's our responsibility today to preserve them. Once they are lost they are lost forever.

**SB-3192-SD-2**

Submitted on: 3/13/2022 10:41:54 PM

Testimony for EEP on 3/15/2022 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kassandra Talamantez	Individual	Support	Written Testimony Only

Comments:

I support SB 3192 because we need to preserve and protect our unique flora and fauna of Hawai'i. Tourism has shown economic importance for local businesses, however the effects of non-reef safe sunscreen, nonstop flights (which add to our carbon footprint), and lack of education on how to respect native species has been very consistent. With the green deal this may not necessarily remove these types of issues, but more so direct money to groups and organizations that have been working behind the scenes to spread awareness and aid in the return of species populations.

**SB-3192-SD-2**

Submitted on: 3/13/2022 11:00:19 PM

Testimony for EEP on 3/15/2022 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Asta Miklius	Individual	Support	Written Testimony Only

Comments:

We desperately need more investment in our natural resources!

**SB-3192-SD-2**

Submitted on: 3/14/2022 12:54:56 AM

Testimony for EEP on 3/15/2022 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Lorraine Waianuhea	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Lowen, Vice Chair Marten, and Members of the Committee:

My name is Lorraine Waianuhea and I am testifying in strong support of SB 3192, Relating to Natural Resources Management, which would establish a visitor green fee program administered by the Department of Land and Natural Resources (DLNR), establish a fund and commission to direct use of the fees collected transparently, and for portions of the fund to support grants to non-profit and other organizations working to protect and restore Hawai'i's natural resources.

**Our beaches, parks, reefs, forests, hiking trails, and other natural resources are paramount to sustaining our way of life and, similarly, our economic engine. These resources are intertwined with our visitor sector, as the tourism economy depends on Hawai'i's iconic natural resources. However, our home is facing escalating visitor impacts, climate change, and localized threats to our ecosystems. It's been estimated that we currently face a conservation funding gap of \$360 million per year.**

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Mahalo for the opportunity to testify,

Lorraine Waianuhea



**SB-3192-SD-2**

Submitted on: 3/14/2022 3:28:39 AM

Testimony for EEP on 3/15/2022 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Meredith Miller	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill as it will provide crucial funding to support our natural resources, and save endangered forest birds like the palilia from extinction.

Mahalo for your consideration,

Meredith Miller, M.A.

**SB-3192-SD-2**

Submitted on: 3/14/2022 5:22:40 AM

Testimony for EEP on 3/15/2022 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Angela Huntemer	Individual	Support	Written Testimony Only

Comments:

Dear Chair and Committee Members, This bill offers an opportunity to collect much needed revenue to restore our forests and other ecosystems. There is so much work to be done on, for example controlling invasives. It is time that the visitors to our islands contribute to mitigate the erosion and spreading of invasives etc. By having visitors contribute it shows them that we care. Many will be happy to do it. Please support this bill to collect a visitor user fee. The online systems coupled with officers providing good enforcement and education is badly needed around the islands. Mahalo. Teacher, Hiker, Ocean Swimmer.

**SB-3192-SD-2**

Submitted on: 3/14/2022 8:02:20 AM

Testimony for EEP on 3/15/2022 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Elizabeth Scheimer	Individual	Support	Written Testimony Only

Comments:

I am very very very in support of this measure. We are not currently managing the impacts of visitors (tourists or ourselves) on our natural resources particularly well, and need funds to do a better job. Our trails, our native ecoystems, our beaches and our reefs are all dangerously degraded. I am also deeply concerned that we aren't doing enough to prepare for the negative impacts of climate change on all of these resources, and the funds and programs created by this visitor green fee will help with that.

**SB-3192-SD-2**

Submitted on: 3/14/2022 8:45:22 AM

Testimony for EEP on 3/15/2022 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lukanicole C Zavas	Individual	Support	Written Testimony Only

Comments:

**Testimony in Support of:**

**SB3192 SD2 Relating to Natural Resource Management**

**Submitted by: Committee on Energy & Environment Protection**

**Lukanicole C Zavas, MEM March 14, 2022**

**14 March 2022**

**Aloha e Chair Lowen, Vice Chair Marten, and members of the Senate Committee on Energy & Environmental Protection,**

**My name is Lukanicole Zavas; I'm a resident of 'Āhuimanu and a restoration professional with a mission to mālama 'āina to momona (to care for the land to abundance), and I am testifying in Support of SB3192 SD2 Relating to Natural Resource Management.**

**“E malama 'oe i ka 'āina, e malama ka 'āina iā 'oe”**

**(Take care of the land and the land will take care of you)**

**Taking care (or management) of our natural resources is a life-long commitment; an arduous task with well-worth benefits. Two limiting factors to successful management are 1) lack of funds, and 2) personnel. I support this bill because the visitor impact fee program will increase funds needed to maintain and enhance our natural landscapes that are becoming inundated with increased use from visitors.**

**Implementing Green Fees for visitors to assist in closing the conservation funding gap is an innovative solution with positive results from similar initiatives on the Galapagos and Palau- both island ecosystems. I support that the funds from the fee be used to mālama Hawai'i's public parks, beaches and trails. In addition, to supporting non-profit organizations that are already caring for spaces that attract visitors.**

**My only question is how will the visitors be monitored to ensure that they have procured a license. I was not able to find any plans for enforcement within the bill.**

**Hawai'i is blessed to have communities with a rich culture and connection to 'āina. This connection fosters intimate 'ike (knowledge) of a resource and motivates investing sweat equity to mālama 'āina. The funding support from the Visitor Fee will assist in harnessing this energy to support our green infrastructure, health of our natural resources, and the well-being of our communities. For these reasons, I support SB3192 SD2 Relating to Natural Resource Management.**

**Mahalo nui loa,**

**Lukanicole C. Zavas, MEM**

**SB-3192-SD-2**

Submitted on: 3/14/2022 9:06:43 AM

Testimony for EEP on 3/15/2022 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Marissa Miller	Individual	Support	Written Testimony Only

Comments:

**Aloha Chair Lowen, Vice Chair Marten, and Members of the Committee:**

**My name is Marissa Miller. I'm from Niu Valley, O'ahu and I work for Sustainable Coastlines Hawaii and Conservation International. I am testifying in strong support of SB 3192, Relating to Natural Resources Management, which would establish a visitor green fee program administered by the Department of Land and Natural Resources (DLNR), establish a fund and commission to direct use of the fees collected transparently, and for portions of the fund to support grants to non-profit and other organizations working to protect and restore Hawai'i's natural resources.**

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**SB 3192 creates a pathway for Hawai'i to be sustained for our local communities, and as a visitor destination. A program outlined in SB3192 facilitates an innovative funding stream to support critical conservation efforts needed to maintain Hawai'i as a healthy, sustainable region into the future. A transformational investment in Hawai'i's natural resources through a visitor green fee program provides a pathway to build environmental and economic resilience for our local communities and our visitor industry. By investing in our environment today, we can ensure that residents and visitors are able to enjoy our incomparable natural environment and island lifestyle for decades to come.**

**Mahalo for the opportunity to testify,**

**Marissa Miller**



*Restore the Commons*

Tuesday, March 15, 2022, 9:00 am

House Committee on Energy and Environmental Protection

SENATE BILL 3192 – RELATING TO NATURAL RESOURCE MANAGEMENT

Position: Strong Support

Me ke Aloha, Chair Lowen, Vice-Chair Marten, and Members of the Committee on Energy and Environmental Protection

SB3192 establishes a visitor use fee for State parks, beaches, trails, and other resource use areas. I understand why it is being called a visitor impact fee, although the scope of this bill comes nowhere near to addressing visitor impacts to the islands from an environmental point of view, and certainly not at all from a cultural point of view. We can leave that discussion for another day.

The pandemic's lockdown included the visitor industry, and one unexpected boon was that local families got to feel at home in their own home for a change, got to enjoy island life as it once was. As the tourism industry began to revive, and especially as tourism-related employment did not follow, it became a sore point that we were losing our homeland again. We were once again being overrun by tourists. Many businesses were happy – those that had come to depend on tourism, and those accustomed to catering especially to tourists. The conditions of our trails, beaches, and parks had still not recovered nor been paid much attention in the interim, so suddenly we now have a back-handed effort to charge visitors to pay for the maintenance we struggle to provide. It has always been true that efforts to maintain our public facilities has been poorly staffed and funded.

This bill can hope to resolve this issue, and surveys suggest that the small amounts being suggested that visitors pay would be gladly paid to continue visitor access to our recreation spots. It is not clear that much thought has been given to locals in this picture. Despite all the talk about rethinking tourism's impact on local life, it appears that little has come of it, other than the use of glib new terms to pretend like we care. Tourist dollars are clearly more important than the local quality of life.

We are fortunate to have very dedicated public employees who care deeply about our natural environment, who are seriously engaged in protecting the local landscape, native species, eliminating invasive species, maintaining trails, posting signs, and trying to educate visitor about dangers to themselves and the nuisances they pose to us. They deserve our support, and this bill provides funding to support a more viable effort. This is the bare minimum in care for our natural resources, and it will become more noticeable as climate change stresses our homeland all the more. As DLNR has one of the State's more notoriously large mandates and low budget attest, resource use fees to support better maintenance are very welcome, loudly applauded, and sorely needed. The efficacy of these care workers will be greatly enlarged, as they have traditionally performed admirably, dollar for dollar. This bill is whole-heartedly supported.

Mahalo for the opportunity to address this issue,

/s/ Charley Ice, Hoā'āina;

**SB-3192-SD-2**

Submitted on: 3/15/2022 1:23:22 AM

Testimony for EEP on 3/15/2022 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Janet L Pappas	Individual	Support	Written Testimony Only

Comments:

Dear EEP committee members,

I strongly support this bill to establish a visitor impact fee program. As the number of tourists has grown, it has become more difficult to maintain many of Hawaii's natural attractions--hiking trails, beaches, parks. A reasonable fee from visitors will help preserve Hawaii's beauty and make the experience more enjoyable and more authentic.

Please support bill SB3192.

Thank you.

Sincerely,

Jan Pappas

Aiea, Hawaii 96701