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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, ECONOMIC DEVELOPMENT, AND TOURISM

AND

COMMITTEE ON WATER AND LAND

February 11, 2022
3:10 p.m.
State Capitol
via videoconference

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

Aloha Chair Wakai, Vice Chair Misalucha, Chair Inouye, Vice Chair Keith-Agaran, and members of the Committee on Energy, Economic Development, and Tourism and the Committee on Water and Land.

The Hawai'i Tourism Authority (HTA) appreciates the opportunity to testify in **support** of SB3192, 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. The measure also establishes the environmental legacy commission to allocate the revenues from the visitor green to protect and manage Hawaii's natural resources and appropriates moneys.

We are supportive of funds generated through these green fees being specifically utilized to protect and manage state-owned natural resources. 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. 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
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AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
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STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

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SUZANNE D. CASE
Chairperson

Before the Senate Committees on
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and
WATER AND LAND

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3:10 PM

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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.¹ Coral reefs annually protect \$836 million in averted damages to property and economic activity in Hawai'i.² 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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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).³ 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;* and *§171-F Environmental legacy commission; powers; duties*, as it is capable of devising such a plan in-house and reporting to the Legislature on expenditures and results, and the advisory committee would take away precious resources from the work of protecting and managing our natural and cultural resources.

The Department proposes the following amendment to this measure:

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 - ~~(9) 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 invited by the chairperson; and~~
 - ~~(10) One representative from the visitor sector and tourism industry, who shall be invited by the chief executive~~

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~~(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.~~

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

~~(1) For the purpose of restoring, enhancing, and protecting, 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 direct expenditure by state agencies and for grants for projects that directly restore, enhance, and protect in perpetuity state-owned natural resources and its unique and fragile ecological status, including projects for one or more of the following purposes:~~

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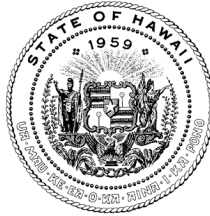
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Thank you for the opportunity to comment on this measure.

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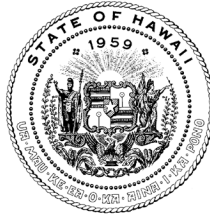
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RELATING TO NATURAL RESOURCE MANAGEMENT

Senate Bill 3192 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.¹ Coral reefs annually protect \$836 million in averted damages to property and economic activity in Hawai'i.² Despite the value of our forests and oceans, Hawai'i invests less than 1% of the total state budget into maintaining these assets.

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).³ 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;* and *§171-F Environmental legacy commission; powers; duties*, as it is capable of devising such a plan in-house and reporting to the Legislature on expenditures and results, and the advisory committee would take away 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 of land and natural resources the environmental legacy commission. The members of the commission shall be appointed by the governor in the manner prescribed in section 26-34. The commission shall guide the department's disbursement of revenues Collected pursuant to this part.~~

~~(b) The commission shall comprise the following members, who shall be appointed or invited to serve:~~

~~(1) The chairperson of the board of land and natural~~

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

- ~~resources or the chairperson's designee, who shall serve as the chairperson of the commission;~~
- ~~(2) The director of agriculture or the director's designee;~~
 - ~~(3) The director of the office of planning and sustainable development or the director's designee;~~
 - ~~(4) The chief executive officer of the Hawaii tourism authority or the chief executive officer's designee;~~
 - ~~(5) One representative of a nonprofit environmental organization having expertise on the protection, restoration, and care of terrestrial natural resources, who shall be invited by the chairperson;~~
 - ~~(6) One representative of a nonprofit environmental organization having expertise on the protection, restoration, and care of marine and coastal natural resources, who shall be invited by the chairperson;~~
 - ~~(7) One representative of a nonprofit environmental organization having expertise on climate change mitigation and resiliency, who shall be invited by the chairperson;~~
 - ~~(8) 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 invited by the chairperson;~~
 - ~~(9) 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 invited by the chairperson; and~~
 - ~~(10) One representative from the visitor sector and tourism industry, who shall be invited 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 purpose of restoring, enhancing, and protecting, 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 direct expenditure by state agencies and for grants for projects that directly restore, enhance, and protect in perpetuity state-owned natural resources and its unique and fragile ecological status, including projects for one or more of the following purposes:~~

~~(1) Protection, restoration, or enhancement of terrestrial or marine natural resources; provided that up to per cent of each grant may be allocated for resource management to ensure the long-term sustainability of the 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) Removal and control of invasive species and propagation and planting of native species.~~

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

~~(1) Provide significant long-term 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, allocation of moneys appropriated from the fund shall be divided as follows:~~

~~(1) No more than per cent of the allocation shall be for grants to local governments, nonprofit organizations, and community-based organizations;~~

~~(2) No more than per cent of the funds pursuant to this paragraph shall be used to administer this part; and~~

~~(3) No more than per cent of the allocation may be used to establish, maintain, or enhance state management of natural resources, implementation of state regulatory programs designed to protect natural resources, and enforcement of natural resources protection laws and rules.~~

Thank you for the opportunity to comment on this measure.

DAVID Y. IGE
GOVERNOR



CRAIG K. HIRAI
DIRECTOR

GLORIA CHANG
DEPUTY DIRECTOR

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

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

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

WRITTEN ONLY
TESTIMONY BY CRAIG K. HIRAI
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEES ON ENERGY, ECONOMIC DEVELOPMENT, AND
TOURISM AND WATER AND LAND
ON
SENATE BILL NO. 3192

February 11, 2022
3:10 p.m.
Room 224 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: establishes the Visitor Green 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 green 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 green fees to protect and manage Hawai'i's natural resources; creates the Visitor Green Fee Special Fund that would generate revenues through visitor green 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, 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:

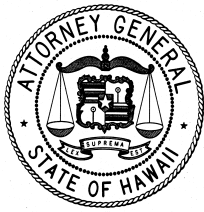
- Elementary and secondary education in FY 22 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 at least at the proportional level of the state's support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



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTY-FIRST LEGISLATURE, 2022**

ON THE FOLLOWING MEASURE:

S.B. NO. 3192, RELATING TO NATURAL RESOURCE MANAGEMENT.

BEFORE THE:

SENATE COMMITTEES ON WATER AND LAND AND ON
ENERGY, ECONOMIC DEVELOPMENT, AND TOURISM

DATE: Friday, February 11, 2022 **TIME:** 3:10 p.m.

LOCATION: State Capitol, Room 224, Via Videoconference

TESTIFIER(S): Holly T. Shikada, Attorney General, or
Julie H. China, Deputy Attorney General

Chairs Inouye and Wakai and Members of the Committees:

The Department of the Attorney General offers the following comments.

The bill will establish, within the Department of Land and Natural Resources (DLNR), a visitor green fee program to collect a fee from non-Hawaii residents and issue licenses to allow visitors to visit state parks, beaches, state-owned forests, hiking trails, or other natural areas on state-owned land. It will establish a civil penalty, in the form of a fine for not paying the green fee and obtaining a license prior to visiting these areas.

A green fee special fund will be established for the fees collected. An environmental legacy commission will be established to "guide and approve the DLNR's disbursement of visitor green fee revenues deposited into the fund[.]" Page 9, lines 15-17. Funds will be allocated by the commission to state agencies. Funds will also be allocated by the commission for grants to local governments, nonprofit organizations, and community-based organizations.

The green fee special fund may be used for "projects that directly restore, enhance, and protect in perpetuity state-owned natural resources and its unique and fragile ecological status, including projects for one or more of the following purposes . . . [p]rotection, restoration, or enhancement of terrestrial or marine natural resources[.]. . . [i]ncreas[ing] . . . 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[,] and "[r]emoval and control of invasive species and propagation and planting of native species." Page 10, line 6, to page 11, line 2.

Fees can only be used for the purpose for which they are collected. *State v. Medeiros*, 89 Hawai'i 361, 366, 973 P.2d 736, 741 (1999). In this bill the purpose of the fee is to offset visitor impacts to state-owned natural resources. However, the bill is not clear: (1) how climate change or controlling invasive species relate to the purpose of offsetting visitor impact to state-owned natural resources (page 11, lines 1-2); (2) how grants to local governments, nonprofit organizations, and community-based organizations would be used to offset impacts to state-owned land (page 11, lines 12-14); and (3) how limiting the allocation from the special fund to only a percentage of the total fees collected to be used to "establish, maintain, or enhance state management of natural resources, implementation of state regulatory programs designed to protect natural resources, and enforcement of natural resources protection laws and regulations" will justify collection of the green fee, when the entire fee must be used for the enhancement and management of state-owned natural resources (page 11, line 18, to page 12, line 2).

One example of how fees may be spent is the Hanauma Bay Nature Preserve entrance fee that was litigated in *Daly v. Harris*, 215 F. Supp. 2d 1098 (Haw. 2002), and affirmed by the Ninth Circuit Court of Appeals, 117 Fed. Appx. 498 (9th Cir. 2004). *Daly* involved the \$3 user fee for non-Hawaii residents to enter Hanauma Bay. The proceeds are deposited into the Hanauma Bay Nature Preserve fund and money from the fund is designated for four specific purposes: (1) for the operation, maintenance, and improvement of the Hanauma Bay Nature Preserve; (2) for educational and orientation programs for visitors to the preserve; (3) for a carrying capacity study of the preserve and other studies relating to the environmental condition of the preserve; and (4) if funds are available, for the operation, maintenance, and improvement of park facilities at Koko Head District Park, Maunalua Bay Beach Park, Koko Head Rifle Range, and Koko Crater Botanical Garden. *Daly*, 215 F. Supp. 2d at 1101-1102. The court upheld the Hanauma Bay entrance fee because it is being used to preserve Hanauma Bay.

In addition to requiring the fees to be spent on state-owned natural resources, the statutory authority to award the fees as grants by the commission must include standards for making the grants, in order to conform to the requirements of section 4 of article VII of the Hawaii Constitution, which provides that "[n]o grant of public money . . . shall be made except pursuant to standards provided by law." To comply with this constitutional requirement, we recommend that this bill be amended to statutorily include in the new part the standards and qualifications for awarding the administrative grants, as previously enacted for other administrative grant programs in part II of chapter 9 and sections 10-17, 210D-11, and 383-128, HRS.

We also provide the following comments:

1. Because the green fee will be assessed to offset the impact of visitor use of state-owned natural resources, the purpose of the green fee program should not be stated in terms of "supporting thousands of public and private jobs" (page 1, lines 6-7) or "potentially create thousands of public and private jobs[,]" (page 2, lines 19-20), and those references should be removed.

2. The phrase "community-based organization" on page 11, line 14, should be defined in section 171-A in section 2 of this bill, page 3, line 19, to page 5, line 11, if it is different from "nonprofit organization," which is defined in section 171-A on page 4, lines 4-14, or deleted if the two have the same meaning.

3. The state parks, including monuments such as Diamond Head, recreational areas, historic parks, and wilderness parks already assess entrance fees to non-residents, which could result in a "double charge" if this bill is passed. See section 13-146-6, Hawaii Administrative Rules (HAR), and chapter 13-146, HAR, Exhibit 3.

Thank you for the opportunity to testify.



Sign-on Letter in Support of Hawai'i Green Fee Program

February 3, 2022

Aloha,

The organizations shown above and listed below are writing **in support of legislation to create a visitor green fee program** administered by the Department of Land and Natural Resources (DLNR), establish a special fund and commission to direct use of the fees collected, 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.

There is a critical need for additional and scaled revenue to protect, restore, and enhance Hawai'i's irreplaceable natural resources, including our oceans, reefs, beaches, forests, and streams. While our visitor industry plays a substantial role in our State economy, the 10 million visitors to our islands each year exact a heavy toll on our natural resources. These resources are invaluable to the livelihoods of our local residents and integral drivers of our statewide economy as well as our visitor industry. **This is why over two-thirds of Hawai'i voters support implementing a visitor green fee to fund the protection of natural and cultural resources.**

Hawai'i's total conservation funding gap has been estimated at \$360 million annually. These unfunded programs protect the watersheds that generate our islands' only source of fresh drinking water, the reefs that protect more than \$830 million worth of coastal infrastructure each year and generate \$13.4 million annually in local fisheries benefits, and other critical natural resources that provide priceless economic, recreational, and cultural values to residents and visitors to our islands.

A visitor green fee program presents an opportunity to finance the protection and restoration of these irreplaceable natural and cultural resources, create hundreds of jobs for local residents, and secure a healthy environment for future generations. **With an estimated 10 million visitors annually, a \$50 per visitor green fee could generate \$500 million in conservation revenue each 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 for decades to come.

These organizations support taking care of our environment so it can continue to nourish and care for us and future generations:

1. Conservation International
2. Kanu Hawai'i
3. Kupu
4. Surfrider Foundation Hawai'i
5. The Nature Conservancy
6. Hawai'i Alliance for Community-Based Economic Development (HACBED)
7. Sustainable Coastlines Hawai'i
8. Hawai'i Reef and Ocean Coalition
9. Hawai'i Forest & Trail
10. Trust for Public Land
11. Hawai'i Alliance for Progressive Action (HAPA)
12. Hawai'i Youth Climate Coalition
13. Zero Waste O'ahu
14. Wastewater Alternatives & Innovations (WAI)
15. National Tropical Botanical Garden
16. Young Progressives Demanding Action
17. Climate Protectors Coalition
18. The Conservationist Collective
19. Pono Hawai'i Initiative
20. Kua'āina Ulu 'Auamo (KUA)

Mahalo for your commitment to protecting Hawai'i's priceless natural assets, and please reach out with any questions.

aloha@hawaii-green-fee.org

SB-3192

Submitted on: 2/8/2022 2:53:18 PM

Testimony for WTL on 2/11/2022 3:10:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Gerard Silva | Individual | Oppose | No |

Comments:

No Fees epecialy Bull Shit Green Fees witch is Based on Fraud!!!

SB-3192

Submitted on: 2/8/2022 5:38:23 PM

Testimony for WTL on 2/11/2022 3:10:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|--|---------------------------|-----------------------------------|
| Damien Kenison | Testifying for Kauhako Ohana Association | Support | No |

Comments:

Aloha kakou, I am sub mitting this testimony in support of SB 3192.

It makes sense that our Legislators are aware of how important the natural resources of Hawaii Nei are t to our economy however, the treasure of our State are the indigenous Hawaiian people and the recent immigrants who have come here looking for a better life. We all have contributed in some way to the customs and traditions that perpetuate the culture which the Tourism industry relies so heavily on to attract visitors who spend millions or billions of dollars annually to enjoy the activities which are enhanced by pristine ocean waters, majestic mountains, forests, and traditional cultural practices which are unique to Hawaii Nei.

I was the campground manager with Friends of Ho’okena Beach Park when the County of Hawaii Parks and Recreation raised the camping fees at Ho’okena from \$5 to \$20 per out of State adult . I heard some of the visitors complaining about the fee increase but after a short time the number of out of State campers increased significantly as they enjoyed their experience without the presence of large groups of partying young adults and a cleaner less crowded campground. People will come here to enjoy our beaches, forests, and mountain trails appreciating the care given to our natural and cultural resources.They will tell friends and other family members of their enjoyable time here and recruit more visitors to Hawaii.

Ho’okena is the last Hawaiian village that maintains a fleet of opele outrigger fishing canoes which will be used as part of a management plan to hanai ko’a (feed the opele) during the spawning and rest period and monitor our traditional fishing grounds for adherence to the rules which we will propose and establish using the mana’o of our kupuna and modern science. We propose to participate in the funding purpose of this bill through our traditional fishing practices and to kokua DOCARE in their mandate to protect our I’a and other marine resources.

We would like to thank our legislators and the Department of Land and Natural Resources in advance for your kind consideration of our proposal and support for SB 3192.

Ke Aloha Nunui,

Damien Kenison

Kauhako Ohana Association

A 501 c3 nonprofit organization

Based in Ho'okena

PO Box 38, Honaunau, HI. 96726

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

SB-3192

Submitted on: 2/9/2022 1:02:37 AM

Testimony for WTL on 2/11/2022 3:10:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Kimeona Kane | Individual | Support | No |

Comments:

Aloha,

I support the intent of the bill to drive funding into programs that will ensure protective measures and education can go into the areas mentioned. Our green spaces need all the help they can get, as they are overrun with foot traffic and impacts of overcrowded use. I feel like the funding should support programs that may even result in temporary closures of spaces to give the environment an opportunity to heal. We see too many spaces deteriorating at the weight of overuse and we need to act immediately. It is important that the fee not be unreasonable, but also that it should be addressed to out of state visitors.

Mahalo nui,

Kimeona Kane

SB-3192

Submitted on: 2/9/2022 9:11:59 AM

Testimony for WTL on 2/11/2022 3:10:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Alex Filardo | Individual | Support | No |

Comments:

Hawai'i has such a unique and culturally significant landscape. In order to protect our natural resources for years to come, programs and projects must be properly funded. As of right now, natural and cultural resource management is heavily underfunded and a green fee/environmental license is a way to supplement these programs. As a resident, I see the need for this extra fee. As a visitor, I would be happy to pay a small annual fee to preserve the places I enjoy visiting.

Thank you for your time.

SB-3192

Submitted on: 2/9/2022 9:22:09 AM

Testimony for WTL on 2/11/2022 3:10:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Heather Mohr | Individual | Support | No |

Comments:

Aloha,

I am writing in support of SB3192 the Hawai'i Green Fee initiative. I believe a dedicated % of hawaii tourism should be contributing to the sustainability, health and education of Hawaii's natural resources and unique eco system. I would love to see a Hawaii that grows stronger, more resilient and is protected in part by the many visitors coming to our home rather than continually misused. I believe a Green Fee will not only allocate important funds for resources to protect and maintain our natural resouces but will also help to educate and perpetuate a more mindful visitor.

Mahalo for your time and consideration,

Heather Mohr

TAX FOUNDATION OF HAWAII

126 Queen Street, Suite 305

Honolulu, Hawaii 96813 Tel. 536-4587

SUBJECT: MISCELLANEOUS, Visitor Green Fee

BILL NUMBER: SB 3192, HB 2245

INTRODUCED BY: SB by DELA CRUZ, CHANG, GABBARD, KEITH-AGARAN, KEOHOKALOPE, KIDANI, LEE, MISALUCHA, MORIWAKI, RHOADS, Baker, Wakai; HB by SAIKI

EXECUTIVE SUMMARY: 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. Establishes the environmental legacy commission to allocate the revenues from the visitor green to protect and manage Hawaii's natural resources. Appropriates moneys.

SYNOPSIS: Adds a new part to chapter 171, HRS, to establish a visitor green 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 green 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 green fees will be deposited.

EFFECTIVE DATE: July 1, 2022.

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 note some incongruities in the definition of “resident” offered in the bill. The bill calls a person a resident if that person filed a Hawaii tax return; nonresidents file Hawaii tax returns too. 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: 2/8/2022

SB-3192

Submitted on: 2/9/2022 10:39:02 AM

Testimony for WTL on 2/11/2022 3:10:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Jeanne Herbert | Individual | Support | No |

Comments:

Aloha, I am strongly in support of SB3192. It is long past time to partner with visitors to our islands to restore and protect our natural resources. Hawaii residents pay the majority of the costs which is unfair to residents. Hawaii is seriously underfunded in our ability to protect and restore our aina. A natural resource management fee would provide continuous sources of income to preserve, restore and protect our lands, watersheds, beaches, reefs and ocean. A green fee has been wildly successful in several places around the world. Right now Hawaii residents are reevaluating the affects of tourism on our land and our communities. This is the right moment for implementing a green fee. Carpe diem!

Mahalo,

Jeanne Herbert

SB-3192

Submitted on: 2/9/2022 10:48:57 AM

Testimony for WTL on 2/11/2022 3:10:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Josh Stanbro | Individual | Support | No |

Comments:

Residents strongly support this. Tourists are happy to pay this. Our island natural resources desperately need this. Mahalo for hearing this bill and please pass SB3192!

SB-3192

Submitted on: 2/9/2022 11:05:31 AM

Testimony for WTL on 2/11/2022 3:10:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Ana Velasquez | Individual | Support | No |

Comments:

Aloha Chairs Inouye and Wakai, Vice Chairs Keith-Agaran and Misalucha, and Members of the Committees:

My name is Ana Velasquez 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 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.

I am a University student who is not from Hawaii but has seen first hand the harmful impacts of mass tourism on the land that I have come to love and I strongly believe that a green fee will increase resilience to such effects while still promoting a strong economy.

Mahalo for the opportunity to testify,

Ana Velasquez



2/9/2022

WTL/EET Committees
Hawai'i State Capitol
Honolulu, Hawai'i 96813

Dear Aloha Chairs Inouye and Wakai, Vice Chairs Keith-Agaran and Misalucha, and Members of the Committees on Water and Land and Energy, Economic Development, and Tourism,

Position: Support SB3192.

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 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.

SB3192 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, 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

Senate Committee on Energy, Economic Development, and Tourism and Senate Committee on Water and Land

Friday, February 11, 2022 3:10 PM

Conference Room 224 via Videoconference

TESTIMONY IN SUPPORT OF SB 3192

Aloha Chair Wakai, Chair Inouye, Vice Chair Misalucha, Vice Chair Keith-Agaran and members of the Committees:

Mahalo for the opportunity to provide my comments on SB 3192. I am in total agreement with the intent of this measure to protect Hawaii's natural resources and to develop monies needed to restore, maintain, and improve these precious resources that are enjoyed by both residents and visitors.

I do, however, feel the green fees should be assessed to all user of these natural resources, perhaps with different fees charged to different users; i.e., kamaaina, senior, military, etc. Additionally, an annual and/or lifetime pass program, similar to the U.S. Park Pass, could be developed for different categories, such as seniors, family, military, etc. Similar pass programs are currently in place for the Honolulu Zoo and the Waikiki Aquarium.

I applaud you for your efforts to protect and preserve these special places for our children and for future generations to come.

Mahalo and aloha,

Ernest K. Nishizaki
Honolulu, HI 96825

SB-3192

Submitted on: 2/9/2022 2:49:07 PM

Testimony for WTL on 2/11/2022 3:10:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|--------------------|--------------|--------------------|----------------------------|
| Lorraine Waianuhea | Individual | Support | No |

Comments:

Aloha Chairs Inouye and Wakai, Vice Chairs Keith-Agaran and Misalucha, and Members of the Committees:

My name is Lorraine Waianuhea, and I am a resident of Hawai'i. 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 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.

Mahalo for the opportunity to testify,

Lorraine Waianuhea



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

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Federal Nonprofit Organization
501(c)(3) FEIN 27-0855937
www.pupukeawaimea.org
info@pupukeawaimea.org

February 9, 2022

Senator Glenn Wakai, Chair
Senator Bennette E. Misalucha, Vice Chair
Committee on Energy, Economic Development, and Tourism

Senator Lorraine R. Inouye, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
Committee on Water and Land

EET/WTL Hearing: Friday, Feb. 11, 2022, 3:10 p.m.
SB3192 – DLNR Visitor Green Fee Program

Aloha Chair Wakai, Vice Chair Misalucha, Chair Inouye, Vice Chair
Keith-Agaran, and Members of the EET/WTL Committees,

Mālama Pūpūkea-Waimea (MPW) strongly supports SB3192.

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

State funding for the management and protection of Hawai'i's natural recreational areas – such as MLCDs, historic sites, and parks -- is grossly inadequate. A new "Green Fee" program to be administered by the State Department of Land and Natural Resources would be a historic step forward for the State of Hawai'i toward truly sustainable tourism. With the Green Fee funds invested back into the resources that are most impacted by human use, visitors will have a higher quality experience. Residents will also significantly benefit from better management and restoration of the treasured areas.

This additional funding is badly needed. **Please pass SB3192.**

Mahalo nui and best regards,

Denise Antolini President, MPW



Testimony Before The
Senate Committee on Water and Land
Senate Committee on Energy, Economic Development and Tourism
IN SUPPORT OF SB 3192
February 11, 2022, 3:10PM, Room 224

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 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 **further**, suggest that in developing this law that the public trust responsibilities of the state to the Native Hawaiian community, 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 'auwai toward reaching this vision.

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

Aloha 'Āina Momona.



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*Office Manager & Program
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Corin Thornburg
*Community-Based Economic
Development Project Associate*

Date: February 9, 2022

To: Senator Glenn Wakai & Senator Lorraine R. Inouye, Chairs, Senator Bennette E. Misalucha & Senator Gilbert S.C. Keith-Agaran, Vice-Chairs, and members of the Committees on Energy, Economic Development, & Tourism and Water & Land

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

Re: Support for SB 3192

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

The Hawai'i Alliance for Community-Based Economic Development (HACBED) supports SB 3192, 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 would help till 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 today that 70% of volunteers support charging tourists fees to certain stat 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 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

SB-3192

Submitted on: 2/9/2022 4:25:18 PM

Testimony for WTL on 2/11/2022 3:10:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Springer Kaye | Individual | Support | No |

Comments:

Dear Chair:

I strongly support this bill, establishing a visitor green fee to better fund natural resource management and management of state recreation facilities. I am, however, concerned by the proposed make up of the body tasked with distributing these funds. The Hawaii Tourism Authority is not owed any oversight of the allocation process. Activities promoted by HTA have a direct cost to DLNR--these monies should be entirely within the DLNR purvue to expend. The legacy board seems like an unnecessarily wasteful and bureaucratic expense when this special fund could simply be administered by the DLNR Chair, as other special funds are administered, to meet departmental needs consistent with the established purpose of the fund.

If the board is necessary, the structure remains concerning. While I appreciate the thoughtful inclusion of experts in terrestrial resource management, marine resource management, and climate change, many of the top experts here in Hawaii are associated with the University, rather than a non-profit organization. Top experts may be retired (and therefore available to serve) or they may be federal employees. These experts should not be excluded.

Further, if a portion of the fund will be granted to non-profit organizations, many excellent non-profit representatives might refuse the opportunity to serve, to avoid a conflict of interest in grant-making to their organization. Therefore a representative with expertise in each field, rather than a representative from a non profit, would be a good choice here.

The wording "up to two representatives from the Native Hawaiian community" is problematic, as it may imply to some readers that a maximum of two of the ten members can be of Hawaiian descent--i.e if the climate change expert is Native Hawaiian, then only one cultural expert would be allowed. I'm sure that is not the intent. This should be clearly stated as "two representatives from the native Hawaiian community."

Finally, I am concerned that the inclusion of a specific percentage for regranting to community organizations and non-profits will be used to replace funds that currently come out of the HTA budget, and are disbursed through a competitive grant by HTA (Aloha Aina, Kukula Ola, etc). The green fee should not be used to replace current HTA costs--the entire amount should be added to the DLNR budget for natural resource management and the administration of the program. If DLNR chooses to regrant to worthy organizations, that would be fine, but it should not replace HTA's \$3Mil/year grant program.

Mahalo for your consideration,

Springer Kaye

SB-3192

Submitted on: 2/9/2022 5:04:43 PM

Testimony for WTL on 2/11/2022 3:10:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|---|---------------------------|-----------------------------------|
| Ted Bohlen | Testifying for Climate Protectors Hawai'i | Support | No |

Comments:

To: The Honorable Senators Lorraine R. Inouye, Chair, Gilbert S.C. Keith-Agaran, Vice Chair, and members of the Senate Committee on Water and Land and

The Honorable Senators Glenn Wakai, Chair, Bennette Misalucha, Vice Chair, and Energy, Economic Development and Tourism Committee members

From: Climate Protectors Hawai'i (by Ted Bohlen)

RE: Hearing RELATING TO NATURAL RESOURCE MANAGEMENT, Friday, February 11, 2022, 3:10 pm

Aloha Senators Inouye, Wakai, Keith-Agaran, and Misalucha, and Committee members:

The Climate Protectors Hawai'i STRONGLY SUPPORT this bill!

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.

Please pass this bill!

Mahalo!

Climate Protectors Hawai'i (by Ted Bohlen)

SB-3192

Submitted on: 2/9/2022 5:54:39 PM

Testimony for WTL on 2/11/2022 3:10:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Kapulei Flores | Individual | Support | No |

Comments:

Aloha,

I strongly support SB 3192, Relating to Natural Resources Management, which would establish a visitor green fee program. Our natural resources and places are what make up Hawai'i and need to be protected in order for everyone to live. 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. One of the biggest causes of waste and pollution in the islands come from the tourism industry, yet the tourism industry isn't helping to take care of our natural resources.

SB 3192 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. This is a step in the right direction of making sure our natural resources are thriving in order for us all to live and be in Hawai'i.

Mahalo



**Senate Committees on Water and Land /
Energy, Economic Development and Tourism**

Friday, February 11th, 2022, 3:10p.m. Conference Room 224

Hawai'i Alliance for Progressive Action Supports: SB3192

Aloha Chairs Inouye/Wakai, Vice Chairs Keith-Agaran/Misalucha and Members of the Committees,

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

SB3192 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. We understand that green fee models and environmental licenses are successfully used across the world and adopted in areas that better manage their tourism than us.

SB3192 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.

Mahalo for your consideration,

A handwritten signature in black ink, appearing to read "Anne Frederick". The signature is fluid and cursive, with a long horizontal stroke at the end.

Anne Frederick
Executive Director

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

**Committee on Water and Land and Committee on Energy, Economic Development, and
Tourism**

**February 11, 2022, 3:10 pm
Conference Room 224 & Videoconference**

Aloha Chairs Inouye and Wakai, Vice Chairs Keith-Agaran and Misalucha, and Members of the Committees:

My name is Naya Tadaki; 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 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.

Furthermore, a green fee is important to me because as a Native Hawaiian who interacts with these natural resources everyday I was raised in understanding the importance of taking care of the land and ocean that also takes care of me. Our island and its resources have provided food for my family, a place to call home, and so many more things. I am writing this testimony in hopes of being a part of a conversation to keep our natural resources and the way we have found it the same or in better conditions for future generations to come. I would go so far to say that establishing a fund to direct use of these green fees would simply protect and restore Native Hawaiian values and practices of stewardship between an individual and the land, something that is so needed in our community. The ocean sustains our fisherman/woman's way of life. The land provides us with kalo, ulu, etc. to nourish our bodies. Therefore, a green fee would provide a way to protect that for the rest of the community who actually live in Hawaii, not just for tourists' enjoyment while visiting.

Mahalo for the opportunity to testify,

Naya M. Tadaki

SB-3192

Submitted on: 2/9/2022 9:37:35 PM

Testimony for WTL on 2/11/2022 3:10:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Jessica Waia'u | Individual | Support | No |

Comments:

Aloha,

My name is Jessica Waia'u and I was born and raised in Hawai'i. I am proud to call this place my home and feel a responsibility to care for and protect this place as my ancestors did. As caretakers of these islands, Hawai'i residents already contribute to the protection and management of our natural resources through taxes and other means. However, the residential impacts are far out weighed by the escalating visitor impacts. If they must visit, then they should help protect this place. There is an immediate need for additional resources to protect, restore, and manage natural resources. It is reasonable and timely to ask visitors who enjoy Hawaii's natural resources to further contribute to their protection, restoration, and care. It's simply being a good visitor. As guests to this place, they should shoulder some the responsibility to care for this place as well. It's just a part of being a good guest.

Mahalo,

Jessica Waia'u



Email: communications@ulupono.com

SENATE COMMITTEES ON WATER & LAND AND ENERGY, ECONOMIC DEVELOPMENT & TOURISM
Friday, February 11, 2022 — 3:10 p.m.

Ulupono Initiative supports SB 3192, Relating to Natural Resource Management.

Dear Chair Inouye, Chair Wakai, and Members of the Committees:

My name is Micah Munekata, and I am the Director of Government Affairs at Ulupono Initiative. We are a Hawai'i-focused impact investment firm that strives to improve the quality of life throughout the islands by helping our communities become more resilient and self-sufficient through locally produced food; renewable energy and clean transportation; and better management of freshwater and waste.

Ulupono supports SB 3192, which establishes within the Department of Land and Natural Resources a visitor green fee program to collect a fee from visitors to visit 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 from the visitor green to protect and manage Hawai'i's natural resources.

Ulupono supports the State's efforts to better manage its natural resources through additional funding. The Aloha + Challenge guides the State to implement sustainable change by setting goals across six priority areas – clean energy transportation, local agriculture, natural resource management, solid waste reduction, green workforce and education, and smart sustainable communities.

While this measure identifies a green fee placed on visitors to support natural resource management, we believe it may be in the State's interest to ensure the eligible funding categories include transportation to our parks and beaches and that those options aren't inadvertently contributing to our overall statewide emissions. This could include projects such as improving bicycle, pedestrian, and transit access to our natural resources, improving electric vehicle charging infrastructure for visitor transportation vehicles, etc. As one of the larger documented impacts of the visitor industry, it is important that these types of projects be included as needed to help our natural resources thrive.

Thank you for the opportunity to testify.

Respectfully,

Micah Munekata
Director of Government Affairs

Investing in a Sustainable Hawai'i

SB-3192

Submitted on: 2/9/2022 11:36:54 PM

Testimony for WTL on 2/11/2022 3:10:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Daniel Amato | Individual | Support | No |

Comments:

Please support SB3192

SB-3192

Submitted on: 2/10/2022 12:36:10 AM

Testimony for WTL on 2/11/2022 3:10:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|-----------------|-------------------------------------|--------------------|----------------------------|
| Lauren Blickley | Testifying for Surfrider Foundation | Support | Yes |

Comments:

Surfrider Foundation **strongly supports** SB3192 and a visitor green fee program.

As one of the many environmental nonprofits in the state, it is evident that natural resource protection and restoration is sorely underfunded. In addition, the strain and burden that 10 million visitors puts on our natural ecosystems (beaches, streams, fresh water, air quality, forests, and more) is having long-term negative impacts. Visitors are more than willing to come to Hawai'i and should be paying their fair share to enjoy our precious islands. The \$50 is a nominal amount that pales in comparison to the money that visitors are spending in our islands, but will create a significant funding source to ensure our natural resources are given the level of support and protection they deserve.

Please vote YES on SB3192.

SB-3192

Submitted on: 2/10/2022 6:36:24 AM

Testimony for WTL on 2/11/2022 3:10:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|---------------------|---------------------------|-----------------------------------|
| shantee brown | Individual | Support | No |

Comments:

please support SB3192. many of our favorite places are past capacity and do not meet even the most basic level of sanitary needs. we need this visitor green fee to have better bathrooms and rubbish clean up, to regulate capacity (with guaranteed free entrance for local people), rejuvenation of our environment, and to also support the neighborhoods surrounding these state land's by improving infrastructure that has been carrying the heavy load of mass tourism. mahalo.

SB-3192

Submitted on: 2/10/2022 7:34:58 AM

Testimony for WTL on 2/11/2022 3:10:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|--------------|--------------|--------------------|----------------------------|
| Tawn Keeney | Individual | Oppose | No |

Comments:

Please consider the following comments:

Several Bills have introduced a ‘Green Fee’ to be levied on visitors to balance environmental degradation resultant from Tourism here. It is necessary before striking such a balance to understand the extent and nature of the environmental damage. The dominant theme in the various preambles has been the pressure on, and degradation of, Hawaii’s natural environment, the beaches, the parks, the trails, and the social and infrastructure congestion. These complaints however are of little significance when compared to the environmental damage done by the immense greenhouse gas emissions associated with air transport of visitors to Hawaii. The following facts should inform that understanding and should guide selection of the appropriate ‘Green Fee’.

1. Visitors here are traveling to “the most remote inhabited archipelago from any continental land mass” on the planet.
2. Visitors numbered 10.3 million in 2019. Hawaii’s population is 1.4 million.
3. The average distance of round trip visitor travel is about 7,000 miles
4. With 10 million visitors this is **70 Billion** passenger miles traveled in 2019 coming here.
5. Several studies have looked at Greenhouse Gas emissions from visitor air travel here.

A. Tawn Keeney MD: **18 million tons in 2019** using a calculator which averaged results from eight prominent web Carbon Offset calculators as applied to HTA’s # of travelers from 8 ‘Regions of Origin’. This study was presented to the Honolulu Climate Change Commission where it was described by ‘very important’ and was recommended to be presented to the State Climate Commission.

B. A ‘back of envelope’ study by Makena Coffman of the Honolulu Climate Commission using data from State Greenhouse Gas Inventory: **13.5 million tons In 2019** however this study did not include any ‘connecting flights’, only the ‘leg’ which terminated or began in Hawaii.

C. In 2021, following presentation of the above, the most definitive study to date in the scientific literature, Lee et al. ‘The Contribution of Global Aviation to Anthropogenic Climate Forcing, 2000 to 2018’ was published in the journal Atmospheric Environment. The IPCC endorsed these findings and methods for calculation of global warming potential from aviation in the 6th Assessment Report (Cod Red for Humanity). Using this method, in 2019 GHG emissions from air transport of visitors to Hawaii totaled **24 million tons CO2(e)** with a wide,

bell shaped 5% to 95% probability range from 12 million to 36 million tons. Emission dynamics would suggest, for Hawaii air travel, because Hawaii's flight altitude is higher than regional air travel, the higher end of the range would be more likely. The original Keeney paper and the Lee et al., and IPCC aviation emissions conclusions are here:

<https://drive.google.com/file/d/18vddkUYmdzTAEjvRZ382tEu67nvsacck/view?usp=sharing>

6. This 24 million tons CO₂(e) global warming emissions from visitor air travel is contrasted with the total emissions from all of Hawaii's Stationary Combustion (electricity generation and petrol refinement) at 7.8 million tons and ground transportation at 4 million tons totaling 12 million tons for all domestic emissions. **Air transport of visitors produced twice the total of all Hawaii's domestic emissions.**

7. Therefore the average visitor among Hawaii's 10 million 2019 visitors was responsible for 2.4 tons CO₂(e) GHG emissions in air transport alone.

8. The IPCC has calculated the individual world citizen equitable yearly 'carbon budget' in order to keep anthropogenic global warming below 1.75C and reach Zero net emissions by 2050 to be 2.7 tons. Thus the average visitor has expended nearly all their yearly equitable carbon budget in air travel here.

9. If the 'beneficiaries' of Hawaii tourism, the Hawaii residents, accept responsibility for its environmental consequences, then these 24 million tons 'belong to' the 1.4 million residents. Each Hawaii resident will have 'appropriated' the equitable carbon budget of six world citizens.

The several 'Green Fee' bills introduced into 2022 Legislature are the following:

HB1512 is a \$5/day Visitor Accommodations Surcharge.

HB805 and SB666 (from 2021) is a \$20 one time charge per visitor Transient Accommodations Tax surcharge.

HB1802 and **SB3012** is a \$50 one time (good for one year) 'license' for use of public beaches parks & trails.

HB1439 and SB2098 is a \$20/day Transient Accommodations Tax surcharge.

HB2245 and SB3192 is a 'license required for parks and beaches and trails but unspecified amount.

The following is comparative analysis of these several bills.

The immense GHG global warming emissions from air transport of visitors argues strongly for a very high 'Green Fee'. None of the current bills contain a sufficient fee but HB1512 and HB805 and SB666 should be eliminated from consideration as inadequate to the magnitude of the problem. The damage to our environment and social structure from climate change in upcoming decades will make any current restorative efforts seem insignificant. That visitors are contributing twice the annual GHG emissions of all domestic consumption argues that visitors should be heavily responsible for finance of the fierce adaptation that will be coming. These charges must start now as our adaptation must start now. These annual billions of dollars in adaptation will soon become tens of billions of dollars.

We are left with the three choices 1) A \$50 one time fee charged on beach and park and trail access. Cost of living adjustment. 2) A \$20 per night fee charged to Accommodations. This would be raised or lowered yearly by up to \$10 per night. 3) An undetermined amount charged once for beach park and trail access. Cost of Living Adjustment

Two of the above are charges for Beach Park and Trail Access through a license. These two options have no enforcement mechanism and would thus be marginally optional as 'honor system'. The administration of this would seem complicated and perhaps haphazard. It is assumed that the reason for this 'beach/park/trail license framework is that the target of the revenues would be toward restoration and maintenance in these settings. This ignores that the overwhelming impact of tourism is from the global warming caused by air transport here. All visitors, whether they intend to visit beaches or parks or trails should be responsible for the environmental impact.

The \$50 one time fee is again too low to be commensurate with the damage done. However, it suffers from lack of adjustment mechanism other than cost of living. A great advantage of the \$20 per night fee is that a mechanism is conjoined for adjustment of this fee either up or down depending on the social and environmental effects resultant from the fee. The State Climate Commission with chairs of relevant departments, CEO of HTA, County Planning Departments and legislative chairs - this is an excellent body to offer comment toward yearly adjustment of the fee. The bill needs amendments in several aspects of this mechanism however.

The bill HB2245 and **SB3192** posits a beach, park and trail license but that fee is undetermined. As enforcement is lacking, if the fee is sufficiently high to be commensurate with damage from air travel emissions non compliance will be a major issue. Also it lacks the highly desirable flexibility of HB1439 and SB2098.

A Closer look at HB1439 and SB2098 makes it even more attractive. Calculating from HTA's average nightly visitors in the state, revenue would be \$1.8 billion yearly. Would such a fee damage the Visitor industry by drop in occupancy? It is important to consider that the Hawaii Tourism Authority reports that the 'average' visitor spends \$1800 on their trip to Hawaii. For a 10 day visit the \$200 total 'Green Fee' is unlikely to dissuade many from this destination. Further the HTA has proposed that some decrease in the number of 'budget' travelers would be desirable while continuing to court the 'high end travelers'. Those, of course, would not even notice a \$20/day fee. Further, this proposal has the safety mechanism of the upward or downward adjustment of the fee.

The HB2245 and SB3192 bills need amendments throughout however. The author seems unaware that the State Climate Commission already exists and meets quarterly. Also the duty assigned to the Climate Commission needs to be redefined as determining the appropriate fee, whether, each year, it should be raised or lowered by up to \$10 dollars, not the referenced 'between \$5 and \$10. Its reference to determining the 'desirable' number of visitors should be stricken as 'restraint of commerce' issues would arise. It's recommendation would be passed to the executive and legislative branches

Due to the more realistic bills available to this legislature, please vote **NO** on SB3192. If a 'yes' vote is considered, please place this fee at a level of at least \$100 and provide some enforcement mechanism.

Mahalo for your consideration,

Tawn Keeney MD

SB-3192

Submitted on: 2/10/2022 8:23:45 AM

Testimony for WTL on 2/11/2022 3:10:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Kira Wadsworth | Individual | Support | No |

Comments:

As a resident of Hawaii, and someone who believes in protecting the environment as well as supporting green growth initiatives for economic advancement, I support SB 3192. There have been many cases of success around the world utilizing green tax for conservation efforts as well as green job growth. A bill like SB 3192 will help to keep youth in the state to advance its preservation for further enjoyment by everyone. Statistics show that initiatives such as SB3192 are highly supported by community members as well. Hawaii currently only invests \$9/tourist back into the environment and we all know many tourists produce more than that amount in environmental damage. If we hope to keep Hawaii preserved for the enjoyment of future generations, we need to support bills like SB 3192. Thank you for your time.



Hawai'i's voice for wildlife
Kō Hawai'i o nā holoholona lōhiu

**Before the Senate Committee on
Energy, Economic Development and Tourism
and
Water and Land**

Friday, February 11, 2022

3:10pm

State Capitol, Conference Room 224, Via Videoconference

**In consideration of
SENATE BILL 3192
RELATING TO NATURAL RESOURCE MANAGEMENT**

Conservation Council For Hawaii strongly supports 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 Hawaii'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 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.

Thank you for the opportunity to **support SB3192**.

SB-3192

Submitted on: 2/10/2022 9:30:29 AM

Testimony for WTL on 2/11/2022 3:10:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Matthew Chamberlain | Individual | Support | No |

Comments:

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

Committee on Water and Land and Committee on Energy, Economic Development, and Tourism

February 11, 2022, 3:10 pm

Conference Room 224 & Videoconference

Aloha Chairs Inouye and Wakai, Vice Chairs Keith-Agaran and Misalucha, and Members of the Committees:

My name is Sgt. Matthew J. Chamberlain of the United States Marine Corps, 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 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. Thank you for the opportunity to testify.

R/S

Sgt. Matthew J. Chamberlain

Lorraine Inouye, Chair
Gilbert Keith-Agaran, Vice Chair
Committee on Water and Land

Glenn Wakai, Chair
Bennette Misalucha, Vice Chair
Committee on Energy, Economic Development, and Tourism

RE: Friday, February 11, 2022, Committee on Water and Land and Committee on Energy, Economic Development, and Tourism Meeting in Support of SB 3192

Aloha Chairs Inouye and Wakai, Vice Chairs Keith-Agaran and Misalucha, and Members of the Committees:

My name is Evan Miyaki, Jr., I am a legal intern with the Sierra Club of Hawai‘i and I am testifying in support of SB 3192. A green fee is necessary to protect Hawai‘i’s natural resources and to fill the estimated \$360 million per year conservation funding gap. This funding can be used to further several management initiatives such as the Holomua Marine 30x30. Currently, less than 1% of the State budget is used to fund conservation.

Visitors need to start paying their fair share in protecting Hawai‘i’s natural resources. Thousands of tourists enjoy our ocean, beaches, and trails each day but do not contribute to their upkeep. At some locations, tourists outnumber locals. Yet, their impact on the environment is not accounted for. Poor management of natural resources popular with visitors can impact the visitor industry- why fly to Hawai‘i if the beach is dirty or if the trails are poorly maintained?

Locals suffer the most from visitor impacts on natural resources. The people of Hawai‘i utilize Hawai‘i’s beaches, parks, reefs, forests, hiking trails, and other natural resources for cultural, spiritual, recreational, health, and economic benefits. As an avid hiker and beachgoer, I understand and witness the impact that high usage has on trails and beaches. Adequetely funded management is needed to mitigate impact and preserve our natural resources.

Mahalo for the opportunity to testify,

Evan Miyaki, Jr.

SB-3192

Submitted on: 2/10/2022 11:00:12 AM

Testimony for WTL on 2/11/2022 3:10:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Elizabeth Benyshek | Individual | Support | No |

Comments:

Aloha,

I am writing to express my strong support for SB3192, 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. Hawai'i's natural resources are unlike any on the Earth, and it is vital that we protect them so that future generations may be able to enjoy them. Please vote to invest in the islands.

Thank you for your time and consideration,

Elizabeth Benyshek

Chair, Surfrider Foundation O'ahu Chapter

SB-3192

Submitted on: 2/10/2022 11:40:26 AM

Testimony for WTL on 2/11/2022 3:10:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Emily Lubick | Individual | Support | No |

Comments:

Aloha Chairs Inouye and Wakai, Vice Chairs Keith-Agaran and Misalucha, and Members of the Committees:

My name is Emily Lubick and I am a student at Kapi'olani Community College 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 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.

As the imminent threat of climate change continues to worsen, it is important we protect the natural resources every and any way we can. We must work to offset the harm done to our precious and fragile ecosystem.

Mahalo for the opportunity to testify,

Emily Lubick



February 10, 2022

Senator Lorraine
Inouye,
Chair of the Water &
Land Committee

Senator Glenn Wakai,
Chair of the Energy,
Economic Development
& Tourism Committee

Senator Bennette
Misalucha, Vice-Chair
of the Energy Economic
Development &
Tourism Committee

Senator Gilbert
Keith-Agaran, Vice-
Chair of the Water &
Land Committee

RE: Testimony in support of SB 3192, Relating to Natural Resource Management

Aloha Chairs Inouye and Wakai, Vice Chairs Keith-Agaran and Misaluch, and committee members,

On behalf of Resources Legacy Fund (RLF), we are writing in support of SB 3192, 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 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.^{1, 2}

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 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

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

² 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

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").ⁱ

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:

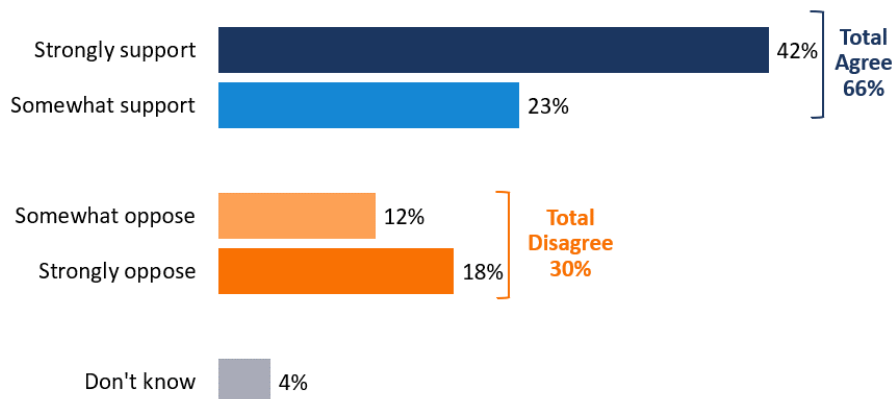
- **Two-thirds back a "green fee."** As shown in Figure 1 on the next page, 66% of Hawai'i voters support a \$50 per person fee for visitors who use state and county beaches, parks and trails to fund programs to protect and restore land, water and wildlife and cultural resources impacted by tourism.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

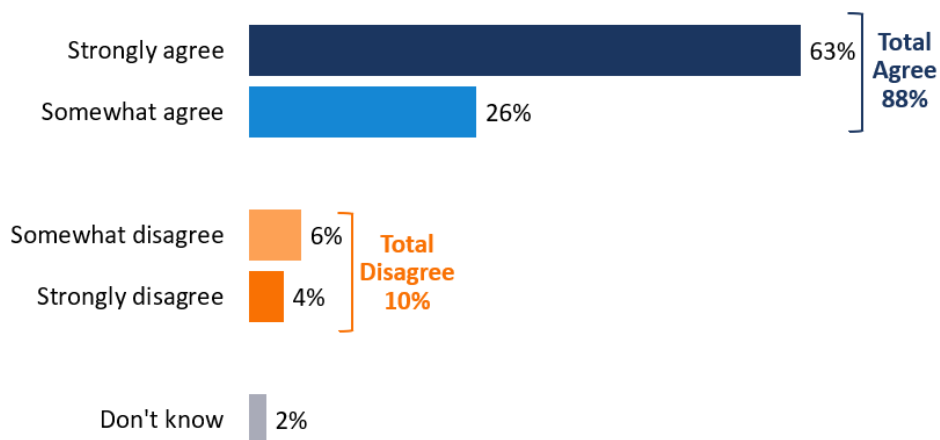
Some people have proposed establishing a \$50 per-person annual fee that visitors would pay to use state and county beaches, parks, and trails in Hawai'i. Money raised would be used to protect and restore land, water and wildlife, and cultural resources that are impacted by tourism in Hawai'i. Does this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



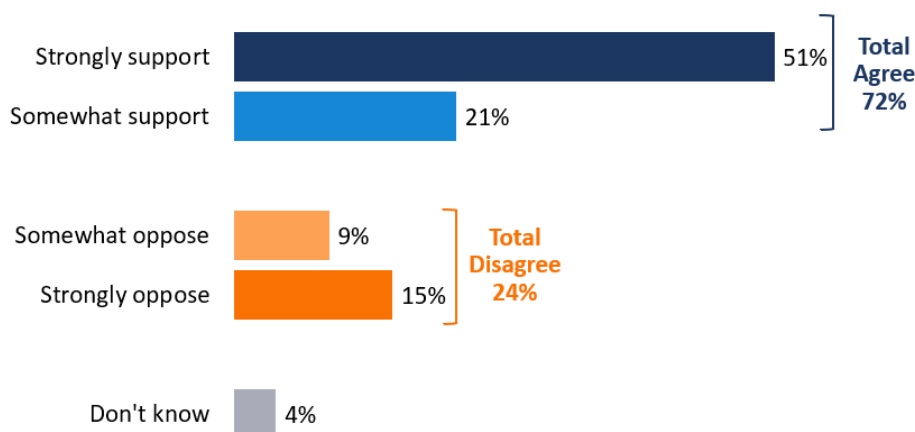
- After a brief exchange of pros and cons, support for the green fee increases.** As shown in Figure 3 on the next page, overall support for the fee increases six points after voters hear the brief statements below describing the benefits and drawbacks of the policy, and more than half "strongly support"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

ⁱ **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

Submitted on: 2/10/2022 1:58:48 PM

Testimony for WTL on 2/11/2022 3:10:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Presley Wann | Individual | Support | No |

Comments:

Aloha Kakou,

On behalf of the Hui Maka'ainana o Makana of Ha'ena, Kaua'i we stand in strong support of SB3192. We are dealing with massive amounts of invasive tree species removal in the restoration of our archaeological taro patches within Ha'ena State Park located in the lower elevations of Limahuli ahupuaa. In addition to our efforts at the lower levels, there are invasive tree species scattered throughout valley all the way to and in some the upper forest reserve. The impacts of these species are widespread, but to us , the importance of the natural watershed to our taro patches and to our community based fisheries health is our constant concern. We feel that this green fee is a small price to pay for our visitors for the protection and support of our natural resources in Hawaii.

Mahalo Nui Loa. Presley Wann (current President for Hui Maka'ainana o Makana)

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

**Committee on Water & Land and
Committee on Energy, Economic Development, & Tourism
February 11, 2022, 3:10 pm
Conference Room 224 & Videoconference**

Aloha Chairs Inouye and Wakai, Vice Chairs Keith-Agaran and Misalucha, and Members of the Committees:

The Nature Conservancy (TNC) supports SB 3192, Relating to Natural Resources Management, which establishes within the Department of Land and Natural Resources (DLNR) a visitor 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 green fee to protect and manage Hawai'i's natural resources, including grants to non-profit and other organizations.

SB 3192 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 green fee could help close Hawai'i's conservation funding gap, which has been estimated at \$360 million annually.

A January 2022 pollⁱ 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 green fee in SB 3192 would allow for more sustained funding to scale efforts and address our

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Kathy M. Matsui Janet Montag Alicia Moy Bradley E. Smith Julie Smolinski Peter K. Tomozawa Richard N. Zwern

conservation needs while supporting the development of green jobs to conserve and manage our natural resources without increasing fees or taxes on residents.

A transformational investment in Hawai'i's natural resources through a visitor green 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.

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.

¹ 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.

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

**Committee on Water and Land and Committee on Energy, Economic Development,
and Tourism**

February 11, 2022, 3:10 pm

Conference Room 224 & Videoconference

Aloha Chairs Inouye and Wakai, Vice Chairs Keith-Agaran and Misalucha, and Members of the Committees:

My name is Sam Dorios 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 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.

Mahalo for the opportunity to testify,
-Sam Dorios

SB-3192

Submitted on: 2/10/2022 2:03:11 PM

Testimony for WTL on 2/11/2022 3:10:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|--|---------------------------|-----------------------------------|
| Emma Anders | Testifying for Hawaii Conservation Alliance Foundation | Support | No |

Comments:

Arwen Revere on behalf of Wild Kids

Committee on Water and Land and Committee on Energy, Economic Development, and Tourism

Aloha Chairs Inouye and Wakai, Vice Chairs Keith-Agaran and Misalucha, and Members of the Committees,

My name is Arwen Revere and I'm a high school student from Kailua and a member of the environmental organization Wild Kids, who I am representing today. Wild Kids is in strong support of SB 3192, which would establish a visitor green fee program administered by the Department of Land and Natural Resources (DLNR), and establish a fund and commission to direct use of the fees collected transparently. Overall, we believe that this green initiative would be extremely beneficial for our environment.

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 and would drop dramatically. The impacts of visitors, climate change, and localized threats to our ecosystems are becoming extremely detrimental.

Having a innovative funding stream such as one suggested in SB 3192 to fund the critical conservation efforts that are needed to support Hawai'i's ecosystems and keep them healthy. 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 committee members for hearing our testimony. We appreciate your consideration of our view on this important matter.

Arwen Revere, on behalf of Wild Kids

LATE

To the Senate Committee on Water and Land,

I first would like to mahalo Chairperson Inouye, Vice Chairperson Keith-Arargran, and all of the members of the Senate Committee for your time in reading my testimony in support of SB 3192. My name is Teana Motoyama. I am a senior at the University of Hawai'i at Manoa and I am also a student intern at the Office of Hawaiian Affairs. I support SB 3192 because it protects Hawai'i's natural resources. This is important because there has been an influx of tourists visiting our islands which has resulted in more people enjoying our beautiful beaches, hiking trails, and state parks. With more people present and visiting our sacred places, it is bound for our land and natural resources to somewhat deteriorate to some degree. The fees charged to visitors will not only result in a greater appreciation for our islands, but the funds collected from the visitor green fees can be invested into the maintenance of our environment. Thank you once again for your time in reading this testimony.

Sincerely,

Teana Motoyama

LATE

SB-3192

Submitted on: 2/10/2022 4:24:21 PM
Testimony for WTL on 2/11/2022 3:10:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Amber Datta | Individual | Support | No |

Comments:

Aloha:

I am writing in SUPPORT of SB3192. I agree that Hawaii is desparately in need of augmented funds for environmental concerns and management, and that visitors' should help to cover this cost given the benefits they derive from our resources.

I would like to add a suggestion regarding the environmental legacy commission (171-E (b)). There are no spaces on the commission for academic experts in relevant fields. I highly recommend that positions 5, 6, and 7 be open to university professors or established researchers, not just nonprofits. The exclusion of positions for field experts risks missing opportunities for scientific expertise on the commission and that may undermine public confidence in the credibility of the commission as it carries out its duties. The legislature may wish to consider as an example the Independent Expert Panel and the Reef Advisory Committee, responsible for providing advise to the Australian and Queensland governments on management of the Great Barrier Reef.

Thank you for considering these comments.

Mahalo,

Amber Datta

LATE

SB-3192

Submitted on: 2/10/2022 4:26:45 PM

Testimony for WTL on 2/11/2022 3:10:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Leland Fausak | Individual | Support | No |

Comments:

Excessive tourism is destroying the very environmental resources that attract visitors in the first place, as well as severely impacting the quality of life of residents of Hawaii. Enacting this bill is one of several essential steps in bringing the out-of-control tourism industry back into line with the carrying capacity of the ecosystem.

Testimony of Sustainable Coastlines Hawai'i

2/10/2022

Bill: **SB 3192**

Committee: Senate WTL/EET

Position: **Support**

Hearing Date: 2/11/22 3:10 PM

Aloha Chair

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 as an ecological wonder and has a responsibility to have one of its biggest industries be in conservation and should return the favor to the world of modeling how it can be done.

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

LATE

SB-3192

Submitted on: 2/10/2022 6:57:16 PM

Testimony for WTL on 2/11/2022 3:10:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Maureen Datta | Individual | Support | No |

Comments:

Aoha,

I strongly support this bill. I urge you to include academic experts on the environmental legacy commission established by this bill in addition to members of ngos, indigenous peoples, government reps and business people.

LATE

SB-3192

Submitted on: 2/10/2022 8:08:21 PM

Testimony for WTL on 2/11/2022 3:10:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Johanna Stone | Individual | Support | No |

Comments:

Aloha nui mai no kakou e na hoa e,

My name is Johanna K Stone and we have been cultivating, and stewarding these lands that WE ALL currently occupy, since antiquity.

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 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.

This is the BARE MINIMUM we can do at this point. This is only a start. We need to regulate tourists and the tourist industry, funded by infrastructure by taxing tourists and the tourist industry, including corporations like Hawaiian Airlines. These are literally DESTRUCTIVE, EXPLOITATIVE AND EXTRACTIVE industries that benefit a few, and detriment all. This entire industry needs to be reformed with education, ENFORCEMENT and regulating bodies all funded by those who need the education the most.

I look forward to your prompt action to live up to your PRIVILEGE and RESPONSIBILITY as either an occupier on our land who allies with our people, or as a descendant of the ONLY

ancestors that have EVER stewarded our lands in perpetual abundance since THE BEGINNING OF TIME.

me ke aloha nui

johanna k stone

LATE

SB-3192

Submitted on: 2/11/2022 5:39:36 AM

Testimony for WTL on 2/11/2022 3:10:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Bret Mossman | Individual | Support | No |

Comments:

Aloha Chair person and members of the committee,

I 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.

Please support this bill.

Mahalo,

Bret Nainoa Mossman, Hilo 96720

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

**Committee on Water and Land and Committee on Energy, Economic Development, and
Tourism**

**February 11, 2022, 3:10 pm
Conference Room 224 & Videoconference**

Aloha Chairs Inouye and Wakai, Vice Chairs Keith-Agaran and Misalucha, and Members of the Committees:

My name is Jack Kittinger 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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SB 3192 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.

Mahalo for the opportunity to testify,

**Jack Kittinger
Conservation International**

LATE