

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 HOUSE COMMITTEES ON WATER & LAND AND LABOR & TOURISM  
ON  
SENATE BILL NO. 3330, S.D. 1

**March 22, 2022**  
**11:00 a.m.**  
**Room 430 and Videoconference**

RELATING TO THE PUPUKEA MARINE LIFE CONSERVATION DISTRICT

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

Senate Bill No. 3330, S.D. 1, establishes the Pupukea Marine Life Conservation District Carrying Capacity pilot program and appropriates an unspecified sum of general funds for FY 23 to the Department of Land and Natural Resources for the pilot program.

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

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

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

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

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

Thank you for your consideration of our comments.

DAVID Y. IGE  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

Testimony of  
SUZANNE D. CASE  
Chairperson

Before the House Committees on  
WATER & LAND  
and  
LABOR & TOURISM

Tuesday, March 22, 2022  
11:00 AM

State Capitol, Via Videoconference, Conference Room 309

In consideration of  
SENATE BILL 3330, SENATE DRAFT 1  
RELATING TO THE PUPUKEA MARINE LIFE CONSERVATION DISTRICT

Senate Bill 3330, Senate Draft 1 proposes to require the Department of Land and Natural Resources (Department) to establish and conduct the Pūpūkea Marine Life Conservation District (MLCD) carrying capacity pilot program; and appropriates moneys. **The Department supports this measure provided that its passage does not replace or adversely impact priorities indicated in the Executive Budget request.**

The Department's Division of Aquatic Resources (DAR) is leading the "Holomua: Marine 30×30" initiative to improve marine management practices across the state to ensure healthy ecosystems and abundant resources that allow the people of Hawai'i to enjoy coastal waters, support local livelihoods, and feed our families. One of the four pillars of Holomua: Marine 30×30 is monitoring to measure current conditions and track progress following implementation of new management approaches and to use data to identify areas where management actions need to be further adapted.

Recent events such as extreme flooding in Hā'ena, Kaua'i and the COVID-19 pandemic have provided unique glimpses into how nearshore marine resources respond to reduced human use. It is becoming increasingly evident that activities long considered "non-extractive" can have significant impacts on nearshore ecosystems. It is critical we better understand these impacts and use thresholds to prevent precious and unique areas like Pūpūkea from being loved to death.

DAR estimates that a well-designed carrying capacity pilot program would cost around \$100,000 per year to conduct.

Thank you for the opportunity to comment on this measure.

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

ROBERT K. MASUDA  
FIRST DEPUTY

M. KALEO MANUEL  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS



Testimony Before The  
Senate Committee on Ways and Means  
**IN SUPPORT OF SB 3330 SD 1**  
March 22, 2022, 11:00AM, Room 430

My name is Kevin Chang and I am the Executive Director of Kua'āina Ulu 'Auamo (or KUA). KUA works to empower grassroots rural and Native Hawaiian mālama 'āina groups to celebrate their places and pass on their traditions to better Hawai'i and achieve 'āina momona— an abundant, productive ecological system that supports community well-being.

**KUA supports SB 3330 SD 1 as an incremental step towards 'āina momona.**

KUA employs a community-driven approach that currently supports statewide networks of more than 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 hui of over 60 Limu practitioners.

A cherished network member is Mālama Pūpūkea-Waimea (MPW), a Hawai'i non-profit organization founded on the North Shore of O'ahu in 2005 with a mission of “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.” MPW has a record of exemplary community leadership in co-management and co-governance bringing awareness to their community and our state of the significance of the resources of the Pūpūkea Marine Life Conservation District (MLCD).

We support this bill which creates a three year pilot program to address natural resource impact issues currently being observed and experienced by MPW and the greater north shore region to: (1) assess the “carrying capacity” (i.e. the impacts to the marine life from anthropogenic uses) of sensitive areas in the MLCD, (2) monitor, document, and assess the effectiveness of mandatory and voluntary kapu or closures, and other potential restrictions, in high traffic areas; and (3) propose long-term natural resource management options to reduce human use impacts, evaluate options for restrictions on access, and (at the same time) increase education of all users to avoid impacts. If fully supported we believe lessons from this pilot could inform statewide approaches to monitor and manage similarly threatened nearshore protected areas, fully in line with the goals of the State's 30x30 Holomua Initiative.

The communities we work with are committed to ensuring the long-term health of our biocultural resources because they have depended on them for generations. We believe our environment is about long-term investing and vision. We believe the vision of 'āina momona our communities hold, includes collaborative innovative pilot projects like this which can serve as a model for improved environmental care.

Mahalo for this opportunity to testify in support.

Aloha 'Āina Momona.

**SB-3330-SD-1**

Submitted on: 3/15/2022 11:04:17 AM

Testimony for WAL on 3/22/2022 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Richard Pezzulo	Hi`ipaka LLC (Waimea Valley)	Support	Written Testimony Only

Comments:

Hi`ipaka, LLC is a nonprofit Hawaii business created to own and manage Waimea Valley on Oahu. Our mission is to perpetuate the human, cultural and environmental resources of Waimea Valley for generations through education and stewardship. As an intact *ahupua`a*, a traditional watershed based land division from the mountain summit to the nearshore coral reef, Waimea’s preservation depends on connected and informed management strategies from *mauka* to *makai*.

We support SB3330 – Pūpūkea Marine Life Conservation District three-year pilot program under the leadership of the Department of Land and Natural Resources based on our understanding of the fragile natural resources of our marine ecosystems and the general increase in human use over the past years.

This project should be funded and authorized to:

- (1) Assess the “carrying capacity” (i.e. the impacts to the marine life from anthropogenic uses) of sensitive areas in the MLCDD,
- (2) Monitor, document, and assess the effectiveness of mandatory and voluntary kapu or closures, and other potential restrictions, in high traffic areas; and
- (3) Propose long-term natural resource management options



3/22/2022

WAL/LAT Committees  
Hawai'i State Capitol  
Honolulu, Hawai'i 96813

Dear Chair Tarnas, Chair Onishi, Vice Chair Branco, Vice Chair Sayama, and members of the House Committees on Water and Land and Labor and Tourism,

**Position: Support SB3330 SD1.**

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.

We support this bill which creates a three year pilot program to address natural resource impact issues currently being observed at the Pūpūkea marine life conservation district (MLCD) to: (1) assess the "carrying capacity" (i.e. the impacts to the marine life from anthropogenic uses) of sensitive areas in the MLCD, (2) monitor, document, and assess the effectiveness of mandatory and voluntary kapu or closures, and other potential restrictions, in high traffic areas; and (3) propose long-term natural resource management options to reduce human use impacts, evaluate options for restrictions on access, and (at the same time) increase education of all users to avoid impacts. If fully supported, we believe lessons from this pilot could inform statewide approaches to monitor and manage similarly threatened nearshore protected areas, fully in line with the goals of the State's 30x30 Holomua Initiative.

As the bill explains, sensitive areas of the Pūpūkea MLCD, particularly the Kapo'o Tidepools and Sharks Cove, have become overcrowded by visitors in recent years and this trend is predicted to increase. Virtually every day of the week, 50-100 people may be walking, snorkeling, and swimming in the shallow tidepool and cove area, impacting this piko or nursery for marine life of the MLCD and nearby areas. Detrimental levels of human use – or "anthropogenic impacts" – are not currently mitigated, resulting in threats to marine life and limiting the use and enjoyment of this protected area by residents. Without a rest period, kapu, or other appropriate restrictions, the Kapo'o Tidepools and Sharks Cove in particular will continue to be degraded.

Thank you for your consideration of this testimony in support of SB3330 SD1, 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

**SB-3330-SD-1**

Submitted on: 3/19/2022 12:49:47 PM

Testimony for WAL on 3/22/2022 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lauren Blickley	Surfrider Foundation	Support	Written Testimony Only

Comments:

I strongly support SB3330 SD1 which proposes a three-year pilot program to assess the carrying capacity of certain areas of the Pūpūkea Marine Life Conservation District (MLCD). The Pūpūkea MLCD receives hundreds of residents and non-resident visitors daily and is open to the public 24 hours. A carrying of the anthropogenic stressors impacting this unique MLCD is thus long overdue. The carrying capacity surveys conducted at Hanauma Bay on different biological parameters pre-COVID and during its COVID Closure in 2020 were critical to documenting the extent of anthropogenic stressors from overtourism on Hanauma's fragile marine environment. These surveys confirmed the community's long standing concerns about the adverse impacts of overtourism, and led to a renewed commitment to greatly reducing the number of daily visitors, the implementation of a reservation system, reduced visitor hours, and Hanauma's closure to visitors two days a week. Even assuming no intent to harm, there is enough data about serious anthropogenic impacts on sensitive marine environments around the world that merit the implementation of a carrying capacity study of Pūpūkea.

Mahalo for your support of SB3330.



March 20, 2022

COMMITTEE ON WATER & LAND

Chair Tarnas  
Vice Chair Branco

COMMITTEE ON LABOR & TOURISM

Chair Onishi  
Vice Chair Sayama

Tuesday, March 22, 2022 at 11:00 AM

VIA VIDEOCONFERENCE

Conference Room 309  
State Capitol  
415 South Beretania Street

**Re: TESTIMONY IN SUPPORT OF SENATE BILL 3330 SD1 - RELATING TO THE PUPUKEA MARINE LIFE CONSERVATION DISTRICT.**

Aloha Chair Tarnas, Chair Onishi, and Members of the Committees,

Please accept these comments submitted by the Center for Biological Diversity (Center) in **strong support of Senate Bill 3330 SD1**, which would require the Department of Land and Natural Resources (DLNR) to establish and conduct the Pūpūkea Marine Life Conservation District carrying capacity pilot program.

The Center is a non-profit 501(c)(3) membership corporation dedicated to the protection of native, threatened, and endangered species and the habitats they depend on to survive. Through science, policy, and environmental law, the Center is actively involved in conserving marine ecosystems. The Center has more than 88,000 members throughout the United States, including Hawai'i, with a direct interest in ensuring that imperiled marine environments are properly protected. In pursuit of this mission, the Center has worked extensively to defend ocean biocultural resources in Hawai'i and nationwide from various threats. The Center is highly invested in conserving fragile and impacted Hawaiian coral reefs and the myriad of species and communities that depend on them.

The Center's members and staff have researched and observed the detrimental levels of human use throughout sensitive areas of the Pūpūkea Marine Life Conservation District (MLCD), particularly the Kapo'o Tidepools and Sharks Cove, which has become over-crowded by visitors.



This three-year pilot program would assess the “carrying capacity” of these sensitive areas in the MLCD, monitor and assess the effectiveness of mandatory and voluntary kapu or area closures, and propose long-term natural resource management options to avoid impacts. There is no better time than now to gather this essential information.

Western science, indigenous knowledge, and community observations all support the finding that the Pūpūkea MLCD has a high level of marine abundance and diversity. It’s health is vital to the species and community that depend on it.

The Center humbly asks these committees support and **pass SB 3330 SD1** to ensure the Pūpūkea MLCD is protected for generations to come.

Mahalo for your consideration,

/s/ Maxx Phillips

Maxx Phillips, Esq.

Hawai‘i Director and Staff Attorney

Center for Biological Diversity

1188 Bishop Street, Suite 2412

Honolulu, Hawai‘i 96813

[MPhillips@biologicaldiversity.org](mailto:MPhillips@biologicaldiversity.org)

**SB-3330-SD-1**

Submitted on: 3/20/2022 4:14:31 PM

Testimony for WAL on 3/22/2022 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kawika Winter	Heeia National Estuarine Research Reserve	Support	Written Testimony Only

Comments:

Aloha to the Committees of Water & Land and Labor & Tourism,

I am in support of SB3330 SD1. Those of us who frequent and/or study Hawai`i's nearshore environment saw how the fish returned to areas they have been chased away from because of unfettered tourism. The Pupukea MLCDD is one of those areas. As Hawai`i fully opens back up to tourism, we need impact studies like this so we can responsibly set rules that limits the negative impact of tourism on our precious natural resources. I urge you to vote in favor of this bill.

Thank you for your consideration,

Kawika Winter, Director

He`eia National Estuarine Research Reserve.

**SB-3330-SD-1**

Submitted on: 3/20/2022 5:58:41 PM

Testimony for WAL on 3/22/2022 11:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Ted Bohlen	Hawai'i Reef and Ocean Coalition	Support	Remotely Via Zoom

Comments:

To: The Honorable David Tarnas, Chair, the Honorable Patrick Pihana Branco, Vice Chair, and members of the Committee on Water and Land, and

The Honorable Richard Onishi, Chair, the Honorable Jackson Sayama, Vice Chair, and members of the Committee on Labor and Tourism

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

Re: Hearing Tuesday, March 22, 11:00 a.m.

Ahoha Chairs Tarnas and Onishi, Vice Chairs Branco and Sayama, and members of the Committees on Water and Land and Labor and Tourism!

This bill proposes a three-year pilot program to assess the carrying capacity of certain areas of the Pupukea Marine Life Conservation District (MLCD) to inform the best natural resource management. This measure requires the Department of Land and Natural Resources to conduct this pilot program, assess the carrying capacity of the conservation district, monitor, document, and assess the effectiveness of restrictions on the conservation district, and propose long-term management options for the conservation district. **The Hawai'i Reef and Ocean Coalition strongly supports SB3330 SD1 to protect the coral and other marine life!**

Sensitive areas of the Pūpūkea MLCD, particularly the Kapo‘o Tidepools and Sharks Cove, have become overcrowded by visitors in recent years and this trend is predicted to increase. Virtually every day of the week, 50-100 people may be walking, snorkeling, and swimming in the shallow tidepool and cove area at any one time. The human use numbers are likely several thousand each week. This high level of human use in shallow-water habitats essentially means the piko or nursery for marine life of the MLCD is subjected to constant trampling and disturbance. Detrimental levels of human use are not currently mitigated, resulting in threats to marine life and limiting the use and enjoyment of this protected area by residents. Without a rest period, kapu, or other appropriate restrictions, the Kapo‘o Tidepools and Sharks Cove in particular will continue to be degraded, contrary to the State’s recognition, in 1983, that this spectacular area deserves the highest level of protection, not to be “loved to death.”

The Pupukea MLCD receives so many residents and non-resident visitors that **a carrying capacity of the human stressors impacting this unique MLCD is long overdue.** Carrying

capacity surveys focusing on different biological parameters are critical to documenting the extent of human stressors from overtourism on this area's fragile marine environment.

These surveys are needed to determine:

- how to deal with the adverse impacts of overtourism,
- whether reductions are needed to the number of daily visitors and how much or reduced visitor hours,
- whether a reservation system needs to be implemented, and
- whether the area needs to be closed to visitors two days a week like Hanauma Bay.

Unlike Hanauma Bay, the Pupukea MLCD is open to visitors 24 hours every day of the year which allows for unlimited, unsupervised access to its most sensitive marine ecosystems. Even assuming no intent to harm, there is enough data about serious human impacts on sensitive marine environments around the world that merit the implementation of a carrying capacity study of Pupukea.

Please pass this bill to help protect the coral and other marine life in certain areas of the Pupukea Marine Life Conservation District.

Mahalo!

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



## *Hawaii's Thousand Friends*

335 Hahani Street #342132 \* Kailua, HI 96734 \* Phone/Fax (808) 262-0682 E-Mail: [hft3000@gmail.com](mailto:hft3000@gmail.com)

March 22, 2022

### COMMITTEE ON WATER & LAND

Rep. David A. Tarnas, Chair  
Rep Patrick Pihana Branco Vice Chair

### COMMITTEE ON LABOR & TOURISM

Rep. Richard H.K. Onishi, Chair  
Rep. Jackson D. Sayama, Vice Chair

### SB 3330 SD1

### RELATING TO THE PUPUKEA MARINE LIFE CONSERVATION DISTRICT

Hawaii's Thousand Friends, a statewide non-profit water and land use planning organization dedicated to protecting the environment, human health and cultural and natural resources, supports SB 3330 SD1, which requires the Department of Land and Natural resources to establish and conduct the Pupukea Marine Life Conservation District carrying capacity pilot program and with adequate funding.

Slowly by slowly we are loosing those places that give us pleasure and are home to Hawaii's unique marine life.

We watched as Haunama Bay was overrun by tourism and deteriorated but are thrilled with its revival during COVID and the measures in place to protect the health of the bay.

Unfortunately, the Pupukea Marine Life Conservation District cannot be closed so the reef, marine life and water quality are subjected to the impacts from thousands of people each day.

Protecting Hawaii's natural resources is not only the right thing to do it is a public trust and constitutional mandate.

*Hawaii Constitution Article XI For the benefit of present and future generations, the State and its political subdivisions shall conserve and protect Hawaii's natural beauty and all natural resources.....and utilize these resources in a manner consistent with their conservation....*

The Public Trust Doctrine establishes a trustee relationship of government to hold and manage wildlife, fish and waterways for the benefit of the resources and the public.

The number of people at the tide pools and Sharks Cove each day and their impacts on the marine environment are unknown.

This three year pilot program, with adequate funding, will provide DLNR with the information needed to protect the marine environment and fulfill their public trust and constitutional responsibilities.



**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](http://www.pupukeawaimea.org)  
[info@pupukeawaimea.org](mailto:info@pupukeawaimea.org)

WAL-LAT Hearing: Tues., March 22, 2022, 11 a.m.

Rep. David Tarnas, Chair, WAL  
Rep. Partrick Pihana Branco, Vice Chair, WAL  
Rep. Richard H.K. Onishi, Chair, LAT  
Rep. Jackson D. Sayama, Vice Chair, LAT  
Members of House WAL-LAT Committees

Re: SB3330 SD1 – Pūpūkea Marine Life Conservation District  
Carrying Capacity Pilot Program

Aloha Chair Tarnas, Vice Chair Branco, Chair Onishi, Vice Chair Sayama,  
and Members of WAL-LAT,

**Mālama Pūpūkea-Waimea (MPW) strongly supports SB3330 SD1 and  
urges your Committees to pass this important bill.**

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.

First, mahalo nui loa for scheduling this joint WAL-LAT hearing in a timely manner. We are grateful for your leadership.

Second, as the bill explains, sensitive areas of the Pūpūkea MLCD, particularly the Kapo'o Tidepools and Sharks Cove, have become over-crowded by visitors in recent years and this trend is predicted to increase. As the attached photos show, virtually every day of the week, 50-100 people may be walking, snorkeling, and swimming in the shallow tidepool and cove area at any one time. Multiplied by the daylight hours, seven days a week, the human use numbers in these sensitive areas are likely several thousand each week. This high level of human use in these semi-enclosed shallow-water habitats essentially means an important piko or source for marine life of the entire MLCD is subjected to constant trampling and disturbance.

Detrimental levels of human use – or "anthropogenic impacts" -- are not currently mitigated in the MLCD, resulting in threats to marine life and limiting the use and enjoyment of this protected area by residents. Without a rest period, kapu, or other appropriate restrictions, the Kapo'o Tidepools and Sharks Cove in particular will continue to be degraded, contrary to the State's recognition, in 1983, that this spectacular area deserves the highest level of protection, not to be "loved to death." Both residents and visitors would benefit from better management that improves the overall quality of the marine resources.

Third, now is the ideal time to launch a three-year pilot program under the leadership of the Department of Land and Natural Resources, to: (1) assess the “carrying capacity” (i.e. the impacts to the marine life from anthropogenic uses) of sensitive areas in the MLCD, (2) monitor, document, and assess the effectiveness of mandatory and voluntary kapu or closures, and other potential restrictions, in high traffic areas; and (3) propose long-term natural resource management options to reduce human use impacts, evaluate options for restrictions on access, and (at the same time) increase education of all users to avoid impacts. A report back to the Legislature in 2026 will help not only the Pūpūkea MLCD but, with appropriate funding and support, could set a statewide model for monitoring and managing similarly threatened nearshore protected areas, fully in line with the goals of the State’s 30x30 Holomua Initiative.

In conclusion, MPW fully supports the bill and asks the Committee to move it forward with funding at the level requested by DLNR’s Division of Aquatic Resources, which is \$100,000 per year for three years (total \$300,000). Unlike the revenue that supports management and scientific research at Hanauma Bay, the Pūpūkea MLCD has never had dedicated government funding for studies or management. SB3330 SD1 would be a good start to protecting this MLCD at the level it deserves.

For more information about the Kapo’o Tidepools, please see this story map and short video:

<https://storymaps.arcgis.com/stories/f0e9e87f4fc34e9ebe0600a01ebf995d>

[https://www.youtube.com/watch?v=2mVHVLr1EUA&ab\\_channel=BenDuncan](https://www.youtube.com/watch?v=2mVHVLr1EUA&ab_channel=BenDuncan)

Mahalo nui and best regards,



Denise Antolini  
President, MPW

### **Kapo’o Tidepools, Pūpūkea MLCD**





**Sharks Cove area of MLCD**





**Examples of Trampling and Harassment in Kapo'o and Sharks Cove**



**8 snorkelers pursuing a Honu in shallow waters of Sharks Cove**





*Dedicated to the conservation of coastal and marine environments,  
emphasizing stewardship of the natural resources of Hanauma Bay*

To:

Representative Tarnas, Chair, WAL  
Representative Patrick P. Branco, Vice Chair, WAL  
Representative Richard H.K. Onishi, Chair, LAT  
Representative Jackson D. Sayama, Vice Chair, LAT  
Members of the House WAL and LAT Committees

Date: Tuesday, March 22, 2022

Time: 11:00 am

Place: Conference Room 309 & Videoconference

**Re: STRONG SUPPORT FOR SB3330 SD1 RELATING TO THE PUPUKEA MARINE LIFE  
CONSERVATION DISTRICT**

Aloha WAL Chair Tarnas, WAL Vice Chair Branco; LAT Chair Onishi, LAT Vice Chair Sayama; and  
WAL and LAT Committee Members:

Friends of Hanauma Bay (FOHB) strongly supports SB3330 SD1 which proposes a three-year pilot program to assess the carrying capacity of certain areas of the Pupukea Marine Life Conservation District (MLCD) to inform the best natural resource management of this sensitive, varied, and much-beloved protected marine environment on North Shore Oahu. Established in 1983 and expanded in 2003, the Pupukea MLCD receives so many residents and non-resident visitors that a carrying capacity of the anthropogenic stressors impacting this unique MLCD is long overdue.

As we found at Hanauma Bay, a series of carrying capacity surveys focusing on different biological parameters pre-COVID and during its COVID Closure in 2020 were critical to documenting the extent of anthropogenic stressors from overtourism on Hanauma's fragile marine environment. These surveys confirmed the community's long standing concerns about the adverse impacts of overtourism, and led to a renewed commitment to greatly reducing the number of daily visitors, the implementation of a reservation system, reduced visitor hours, and Hanauma's closure to visitors two days a week. These measures help ensure that Hanauma's unprecedented natural resurgence during its COVID closure to visitors is maintained.

Unlike Hanauma Bay, the Pupukea MLCD is open to visitors 24 hours every day of the year which allows for unlimited, unsupervised access to its most sensitive marine ecosystems. Even assuming no intent to harm, there is enough data about serious anthropogenic impacts on



*Dedicated to the conservation of coastal and marine environments,  
emphasizing stewardship of the natural resources of Hanauma Bay*

sensitive marine environments around the world that merit the implementation of a carrying capacity study of Pupukea.

Further, the Department of Land and Natural Resources Division of Aquatic Resources has a history of strong collaborative engagement with the community and Malama Pupukea Waimea. This should greatly assist with implementing this much-needed carrying capacity pilot project and ensure the creation of a science-driven natural resource management plan that has full community support.

**Mahalo for the opportunity to testify in strong support of SB3330 SD1.**

With Aloha,

Lisa Bishop  
President  
Friends of Hanauma Bay



In consideration of bill SB 3330 SD1

Based out of Hale'iwa, HI, Shoreline Conservation Initiative is a small 501c3 non-profit organization dedicated to supporting the sustainability and resilience of coastal communities and nearshore ecosystems through science, research, and conservation action. Our organization strongly supports Bill SB 3330 SD1 and its proposed Act to establish a three-year pilot program to assess the carrying capacity of certain areas in the Pupukea Marine Life Conservation District (MLCD) in light of threats to marine life from increased human use.

The Pupukea MLCD is only one of three that exist on the island of O'ahu. Acknowledged by the legislature, to date the Pupukea MLCD has received neither the attention nor the protections that the other two (Waikīkī and Hanauma Bay) have received.

Without the implementation of this much needed pilot program, the Pupukea MLCD and its ecosystems will continue to suffer from the constant threats of over-exposure to anthropogenic stressors. Letting this natural resource continue without further documentation and protection could be devastating to the community, marine life, and all those who wish to enjoy the beauty of Hawai'i. We hope you take our testimony into consideration and thank you for your time.

Robert Walker, PE

A handwritten signature in black ink that reads "Robert Walker". The signature is written in a cursive, flowing style.

Executive Director  
Shoreline Conservation Initiative

**SB-3330-SD-1**

Submitted on: 3/14/2022 7:55:17 PM

Testimony for WAL on 3/22/2022 11:00:00 AM

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

Comments:

As an avid North Shore swimmer and snorkeler I have witnessed first hand the proliferation of life in the Pupukea MLCD during the lock down and it subsequent destruction during the summers of 2020 and 2021. Based on my personal experience I would advocate for a complete shut down of the Sharks Cove/Three Tables area for the maximum time attainable. At the very least there should be a system similar to that of Haunama Bay. Although it may be ostensibly more complicated to close off the entrance to the Sharks Cove and Three Tables area, a temporary solution would be movable riot control fencing that the city or state must have somewhere. It was a horror show in the MLCD during the period of high tourist use over the last few years. Hoards of people were trampling over the coral, trying to touch and ride on turtles, swimming straight into schools of fish and deliberately dismembering urchins and other organisms in the tide pools. I tried to calmly inform and redirect but honestly it took a huge toll on me emotionally to watch the destruction of this important marine area first hand. We HAVE TO find a solution for protecting the MLCD better. The destruction that has been inflicted since Summer 2020 by the overuse will take years to recover from. The food truck park owned by Hanopohaku opposite Sharks Cove is a significant source of first time, uneducated "snorkelers" who rent equipment from the businesses there. They are specifically given reef walkers instead of fins. This means that they stand and walk on the coral. The businesses at Hanopohaku are the source of a significant propotion of the trash in the bins and on the ground in the public park at Sharks Cove. ( One of my best friends picks up trash there on a very regular basis - here 808 cleanups spot) Foodland Pupukea also sells items that could be used illegally such as nets, with no explanation of the prohibition of disturbing wildlife or rocks in the MLCD. There is SO MUCH work to be done to insure that the Pupukea-Waimea MLCD gets the protection it deserves as a world class dive and snorkel site but more mportantly a varied ecosystem with the kind of biodiversity that seeds surrounding waters. Please pass this bill. Mahalo. Angela Huntemer MEd, Kahuku

**SB-3330-SD-1**

Submitted on: 3/19/2022 4:30:40 AM

Testimony for WAL on 3/22/2022 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Cynthia Punihaole Kennedy	Individual	Support	Written Testimony Only

Comments:

I strongly support SB3330 to require DLNR to establish a carrying capacity pilot project for Pupukea MLCD.

**SB-3330-SD-1**

Submitted on: 3/20/2022 7:55:36 AM

Testimony for WAL on 3/22/2022 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Colehour Bondera	KANALANI OHANA FARM	Support	Written Testimony Only

Comments:

Aloha Chair and Committee Members:

Carrying capacity is vital to have established, and DLNR can and should lead such required efforts by the legislature.

Please pass this important piece of legislation.

Yours,

Colehour Bondera

Although I am not currently on island, I support SB3330. Having worked with Kahaluu Bay Education Center I have seen the damage done to our reefs and waters by over visitation. This was very apparent when the pandemic occurred and visitation drop to 0 in some areas. The reefs and waters surround the islands flourished and even new growth and spawning's occurred. Our natural resources are just that, "Natural Resources" they can be enjoyed but need to be able to replenish. When on island I will continue working with the Education Center to help in any way possible. Thank you for your time.



**SB-3330-SD-1**

Submitted on: 3/20/2022 8:10:52 AM

Testimony for WAL on 3/22/2022 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Eleanor Thomas	Individual	Support	Written Testimony Only

Comments:

Although I am not currently on island, I support SB3330. Having worked with Kahaluu Bay Education Center I have seen the damage done to our reefs and waters by over visitation. This was very apparent when the pandemic occurred and visitation drop to 0 in some areas. The reefs and waters surround the islands flourished and even new growth and spawning's occurred. Our natural resources are just that, "Natural Resources" they can be enjoyed but need to be able to replenish. When on island I will continue working with the Education Center to help in any way possible. Thank you for your time.

**SB-3330-SD-1**

Submitted on: 3/20/2022 10:29:14 AM

Testimony for WAL on 3/22/2022 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Roberts "Bob" Leinau	Individual	Support	Written Testimony Only

Comments:

Popular destinations like the Pupukea Marine Life Coservation District need to have a better understanding of how to protect the assets. They are currently being "loved" to death. How much is too much stressful impacts on these important ho'opunua? We need to know! DLNR/Aquatic Resources need to figure out how to better manage these areas.

The numbers of people increase significantly every year.

Please help do the right thing.

Mahalo, Bob Leinau.

**SB-3330-SD-1**

Submitted on: 3/20/2022 12:42:28 PM

Testimony for WAL on 3/22/2022 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jenny Yagodich	Individual	Support	Written Testimony Only

Comments:

Re: **Support of SB3330 SD1** from a unique perspective.

Aloha Chair Tarnas, Vice Chair Branco, and the Committee on Water & Land, and Chair Onishi, Vice Chair Sayama, and the Committee on Labor & Tourism,

My name is Jenny Yagodich and work as the Director of Educational Programs and Makai Watch Coordinator for Mālama Pūpūkea-Waimea (MPW), the non-profit organization that cares for, educates about, and protects the Pūpūkea Marine Life Conservation District (MLCD) out here on the North Shore of O‘ahu. In addition, I have had an intimate relationship with this special place since I was a child.

The Kapo‘o Tidepools area of the Pūpūkea Marine Life Conservation District is an amazing, unique, and important shallow-water, nursery-type habitat for marine life including fish, corals, limu, turtles, sharks, seals, and so much more. Sadly, this fragile area within the marine sanctuary is subject to a rapidly increasing and unregulated number of users and their presence is literally killing the marine life that should be abundant there.

During the Covid lockdown in 2020, we were able to get in the water and conduct biological surveys. Like many other places throughout our islands, once given a break from thousands of feet a day, the ecosystem rebounded quickly, and marine life were once again thriving and abundant. Submerged rocks in the shallow-water areas were again covered in turf algae (an important food source for many fish and other critters). Corals regained their color. Urchins, sea cucumbers, nudibranchs, anemone, sea stars, shrimps, crabs, octopus, eels, and an array of other marine life were once again out and about. Schools of juvenile fish moved back in and even sea turtles and rays took advantage of the unique and diverse ecosystem within the Kapo‘o Tidepools. This is, of course, what we would expect to see in a Marine Life Conservation District.

Once restrictions lifted, however, and visitors returned to Kapo‘o and the other shallow-water areas of the MLCD, all of that amazing biological progress was quickly undone. Today, the submerged surfaces are no longer covered in turf algae, but rather bare due to thousands of feet scrubbing them clean and preventing new growth. Corals are bleaching and some have died completely. Critters aren’t out and about, but rather hiding deep in holes, cracks, and crevasses. Crushed urchin skeletons are a common site. Fish are scarce and schools are dispersed.

For the past twelve years, I have taken students of all ages into the tidepools to learn about the marine environment and have first-hand knowledge of the condition and health of the MLCD. It is getting worse by the minute. MPW has conducted human-use counts since 2005 using “point-in-time” methods. For comparison, in 2012 (ten years ago), on a busy Saturday in March, at noon, there were 27 humans inside the Kapo‘o tidepools and 35 on the beach. This year, in March, on a random Monday, there were 85 humans in the tidepools and 120 on the beach. Multiply those numbers by a turnover of about every 30 minutes and you’re looking at around 2000 people a day impacting the fragile, shallow-water areas of the Pūpūkea MLCD. Holidays, weekends, Spring Break, and other occasions see an even higher increase in use.

Historically, the Kapo‘o Tidepool area would receive a break from use in the winter months when surf was high. In recent years, however, we’ve actually seen an increase in use during this time which means unless the waves are over twelve or so feet, the area is not getting a break. In 2012, on January 7th, during a point-in-time count, there were 17 humans in the Tidepools. This year on January 16th, during 8-12 foot surf, there were 47. This is a 176.47% increase!

The constant trampling and other negative cumulative impacts are resulting in a dramatic decline in the health and abundance of marine life in a place that is supposed to be a protected area for fish and other marine species so that they can grow and reproduce. SB3330 SD1 will require DLNR to establish and conduct a *much-needed* biological carrying capacity to determine the best balance between human-use and the marine environment itself. *We are in full, desperate support.*

We know you share in our commitment to protect Hawai‘i’s sensitive marine areas and we thank you for supporting SB3330 SD1.

Mahalo!

Jenny Yagodich

**SB-3330-SD-1**

Submitted on: 3/20/2022 12:58:01 PM

Testimony for WAL on 3/22/2022 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Steve Schroeder	Individual	Support	Written Testimony Only

Comments:

Aloha,

As a lifelong resident of this area, I've seen firsthand the impact increased human use is having on the Pūpūkea Marine Life Conservation District. I am in strong support of SB3330 to require DLNR to conduct a much-needed biological carrying capacity study to determine the right balance of humans to ensure healthy and abundant resources for generations to come.

Mahalo,

Steve Schroeder

**SB-3330-SD-1**

Submitted on: 3/20/2022 1:25:59 PM

Testimony for WAL on 3/22/2022 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Maki Morinoue	Individual	Support	Remotely Via Zoom

Comments:

Aloha

My name is Maki Morinoue, a 4th generation kama'aina who has spent majority of my leasuly childhood pass time at Kahalu'u, Anaeho'omalua, Kua, Kiholo, Kealakekua, Manini, Hapuna, Ho'okena Bays and Beaches to name a few. Because of over tourism not only do I feel a cultural displacement happening but an overcapacity impact for decades. It is sad to see the human impact along our shore and development permits being granted without cultural, environmental, historical and catastrophic preparedness impact as a collaborative process.

I am identifying the pukas that our Mayor and Governor has total authority to place nominees without the residents, County Council or State Senators understanding of applicants. This is due to the lack of public information available on who has applied, been interviewed for important positions that change our landscape. For example in our Commissions, Board of Land and Natural Resources, Department of Aquatic, Department of Land and Natural Resources and the Department of Water.

I support SB3330 for the rights for nature to have the space to balance, to heal, to rest, to thrive. As an observer of our land I know very well the human impact it has caused along our bays and shorelines. We are now finally bringing forward scientific evidence and data to support our long standing knowledge from our Kanaka kupunas through the University of Manoa and the Hawaii Marine Education Research Center in Miloli'i. We do not have more time to wait for action. Our coral is in need of your support before our food chain collapses to a degree we might not get it back.

With urgency and deep evidential understanding please support this bill.

Aloha

Maki Morinoue

Holualoa

96725

**SB-3330-SD-1**

Submitted on: 3/20/2022 2:07:54 PM

Testimony for WAL on 3/22/2022 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Shannon Matson	Individual	Support	Written Testimony Only

Comments:

Chairs, Vice Chairs and committee members,

I'm Shannon Matson, and currently serving on the boards of the Sierra Club, Recycle Hawai'i, and as the Vice Chair of the Democratic Party of Hawai'i. While I believe that my testimony is valid and supported by all of these roles that I hold, I am submitting this testimony today officially on behalf of myself and my family only.

Please support this bill. My understanding is that it:

- Requires the Department of Land and Natural Resources to conduct a three-year carrying-capacity pilot program for the approximately 100-acre area, which is the size of the Hanauma Bay Marine Life Conservation District and includes Sharks Cove and the 3-acre Kapoo Tidepools;
- Concern is that Sharks Cove and the tidepools are getting "loved to death" and among the most heavily visited snorkeling spots on Oahu and that visitor numbers are returning to pre-pandemic highs.
- Sensitive areas like Kapoo Tidepools and Sharks Cove that are relatively shallow get a lot of trampling by people wearing reef shoes and the tidepools are a rich nursery for more than 50 species of marine life.
- February count 163 people in the tidepools and 215 on the beach at one point in time.
- This pilot program will evaluate appropriate level of use, and what management practices and restrictions might be established.

Mahalo for acting now to protect and preserve our precious natural resources for future generations.

Aloha,

Shannon Matson



**SB-3330-SD-1**

Submitted on: 3/20/2022 3:40:44 PM

Testimony for WAL on 3/22/2022 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Diane Ware	Individual	Support	Written Testimony Only

Comments:

Dear Chairs and Committee Members,

I strongly support this bill for the Pūpūkea MLCDC Carrying Capacity Pilot Program in order to instigate protection for our special places.

Mahalo,

Diane Ware, 99-7815 Kapoha Pl, Volcano Hi 96785

**SB-3330-SD-1**

Submitted on: 3/21/2022 7:57:05 AM

Testimony for WAL on 3/22/2022 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Damien Kenison	Individual	Support	Written Testimony Only

Comments:

Aloha no kakou, I am writing this testimony in support of SB 3330.

Many of Hawaii's beaches and shoreline areas are overstressed because of the many people moving here and the thousands of tourists who visit annually. The Department of Land and Natural Resources, along with the ho'a'aina of each place has the kuleana to ensure that our 'aina and kai are protected from overuse. The ability of the DLNR to determine that status is reliant upon the knowledge of how many people are accessing those resources and to record what they are doing. SB 3330 is an important measure that will enhance DLNR's ability to address that concern and safeguard our resources for the enjoyment of the local people and visitors to our islands.

Similar to Kahaluu Beach Park on Hawaii Island Pupukea MLCD is a popular place for visitors and as a result, is overcrowded. The need to determine the carrying capacity of these places serves two purposes. First of all, we must respect the ho'a'aina of these places and protect their home from abusive practices. Secondly, it will establish a baseline for stakeholder usage to develop a plan that will help to protect the resources, which draw the thousands of tourists and locals to them for enjoyment and commercial purposes, from being negatively impacted.

Please support SB 3330 for the benefit of the people of Pupukea and all stakeholders that flock to the Pupukea MLCD daily.

Damien Kenison

Hookena

PO Box 38

Honaunau, HI., 96726

**SB-3330-SD-1**

Submitted on: 3/21/2022 9:02:17 AM

Testimony for WAL on 3/22/2022 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ellie S. Jones	Individual	Support	Written Testimony Only

Comments:

To Chair Tarnas, Vice Chair Branco, and the Committee on Water & Land, and Chair Onishi, Vice Chair Sayama, and the Committee on Labor & Tourism,

My name is Ellie Jones and I testify in support of this bill as a marine scientist, conservationist, diver, fisher, and science communicator living on O‘ahu.

Shark's Cove and the Kapo‘o tide pools within the Pūpūkea Marine Life Conservation District house an abundance of marine life. Due to the presence of rocks that serve as a barrier between the cove and the open ocean, this habitat protects and provides space for important species native to Hawai‘i, including but not limited to coral, limu, fishes, sea turtles, and sharks. However, the rocky barrier enclosing the pools also makes it a more accessible area for humans to reach, even when ocean conditions on the rest of the north shore are dangerous, such as during the winter months when high surf is commonplace. Consequently, the tide pools and cove are subject to human visitation almost every single day of the year.

Constant human presence in shallow rocky tide pools is detrimental to marine life. Visitors step on and trample coral and limu, especially visitors who are not aware that coral is an animal and think instead that it might be a rock to stand on. Even visitors who are educated about coral and limu could accidentally step on it in such a shallow environment. I believe that the ocean and its natural habitats ought to be open to the public to experience and be educated about the beauty and importance of the marine environment, and I am an advocate for accessibility to these areas, but when human access goes unchecked, it can damage these wonderful ecosystems irreversibly. Coral is a slow-growing, vulnerable animal and can take years to recover from trampling. Limu, or algae, is a faster-growing species but is still killed quickly by foot traffic.

I believe strongly that the best way to continue to allow human access to these beautiful and important locations is to conduct a human carrying capacity study. This will allow us to see the amount of people that the tide pools can host each day without causing irreversible damage. After all, if we want the areas to stay open for our own enjoyment and to continue to drive revenue from tourism to the area, don't we want these environments to be healthy far into the future rather than ruined in our near lifetimes by overuse? The way to avoid either complete destruction to the environments or a full closure of the area is to conduct a study focusing on carrying capacity, so I urge you to pass this bill. It is very timely that we conduct this survey in the moment that the world is beginning to open up again after the COVID-19 pandemic, since

the islands will surely see an increased influx of visitors as countries around the world open again to tourism.

Finally, I appeal to your understanding of the corals and algae in these tide pools as vital to the continued wellbeing of Hawai'i's future. Coral acts as a natural barrier to damage from incoming storms and large swells. Algae provides food for commercially important fish species as well as people living on the islands. These marine ecosystems are intricately connected to thriving life on the islands, and it is imperative that we continue to protect them into the future. Please take this testimony as evidence of the importance of a carrying capacity study for the Pūpūkea Marine Life Conservation District.

Thank you for your time and consideration, Ellie S. Jones

**SB-3330-SD-1**

Submitted on: 3/21/2022 9:41:27 AM

Testimony for WAL on 3/22/2022 11:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Samantha Mislinski	Individual	Support	Written Testimony Only

Comments:

It is hard to put into words how important the Pūpūkea-Waimea Marine Life Conservation District is to me and my family, and how concerned we are for its future. Some of my earliest memories are from swimming at Kalua o Māua and Kapo‘o Cove, hanging out with the on the beach with my friends and family, and enjoying the beauty of this unique environment. This is one of my family’s favorite places to go to enjoy the water and the beauty of the marine environment. The Pūpūkea-Waimea MLCD is a part of our family’s favorite memories, and we care for it dearly. When I was little, I remember seeing very few fish and hardly any healthy coral. In recent years I have seen more fish, more species of fish and healthier coral with every passing year. This improvement brings me hope that is habitat can be saved.

Despite the improvement of the biodiversity of the Pūpūkea-Waimea MLCD, I am growing more and more concerned with how this area is being treated by visitor. Last summer I went to the Kapo‘o Tidepools three to four times a week. Nearly every single time I felt claustrophobic because there were too many people there. I couldn't swim more than three feet without having to change directions to avoid somebody. The areas where people were getting in and out of the water, I couldn't see more than a foot in front of me because of all of sediment that the foot traffic had kicked up. Kalua o Māua and Kapo‘o Cove weren't much better. At least there you could avoid people by swimming further out into deeper water. At Kalua o Māua and Kapo‘o Cove there were many instances where I saw the harassment of turtles, fish and the Hawai‘ian Monk seal. People getting way too close to them, touching them, trying to get selfies. I saw countless people stepping on live coral, and invertebrates. Ither not knowing or caring that they were killing the habitat. Most days last summer I saw fish hiding and fleeing from people more than they did during the summer of 2020 when there were fewer people due to the pandemic.

Not only are there more visitors now, but there is more trash. I know people who pick up bags of trash at least once a week, but it seems like the trash is replaced within hours. I see people throwing away cigarette butts, plastic to go containers, fancy pineapple drinks, plastic water bottles, plastic tags from snorkel and beach equipment, chewing gum, empty vapes and more every single time I go to the MLCD. There isn't a single time that I have gone swimming without finding trash in the water or the beach. The number of visitors has exceeded the Pūpūkea-Waimea MLCD’s carrying capacity on every front. The park’s infrastructure and facilities have been exceeded. The physical space of the beaches, and ocean has been exceeded. The level that the marine life can tolerate has been exceeded.

The number of visitors to the MLCD exceeded the places to park almost every single day and it backed up traffic. This past summer the sheer number of visitors impacted my life every single day. The traffic from the number of visitors added between 5 and 40 minutes for my everyday trips to drive to work, go to the grocery store, visit friends and family and to go for a swim. We would avoid going to the places that we love during peak visiting hours and days.

The 4th of July made me cry seeing the disrespect of the habitat. At Waimea there were many powerboats anchored in areas that had live coral. Powerboats are not allowed to be in the debate at all and it made me so frustrated to know that there was not enough funding to enforce the rules. The majority of people that I talked to the on the beach that day didn't even know that powerboats weren't allowed in Waimea.

The Pūpūkea-Waimea MLCD deserves just as much protection as Hanauma Bay does. It deserves rest days from all human activity. It deserves to have protection from illegal activity and poaching. It deserves fewer people tromping on the coral and invertebrates and protection from reef damaging sunscreen. The fish deserves protection from handheld nets. It deserves mandatory education for all visitors on how to respect it. It deserves people not littering. Not only does the Pūpūkea-Waimea MLCD deserves all of this, but it desperately needs it if it is to survive for future generations and this bill will be an important first step in insuring the MLCD's future.

**SB-3330-SD-1**

Submitted on: 3/21/2022 10:42:50 AM

Testimony for WAL on 3/22/2022 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sydney Covell	Individual	Support	Written Testimony Only

Comments:

Aloha! I am in strong support of SB3330 SD1. I am a resident of the North Shore, work for a non-profit contributing to the cultural and environmental conservation of the North Shore and am most importantly a mother of two young keiki. The Pupukea Marine Life Conservation District is a valuable, unique natural area that we are lucky enough to live close to and share with our keiki. In order to make sure that we have this beautiful place and keep it protected for future generations to cherish and for the well-being of the marine life that call it home, I feel a study as written in SB3330 is necessary. We need to know the impact that human use has on the Marine Life Conservation District in order to ensure that it is cared for in the proper way and so that we may make any changes regarding the health of the Pupukea Marine Life Conservation District and its inhabitants. Again, I strongly support SB3330 SD1.

Mahalo,

Sydney Covell

**SB-3330-SD-1**

Submitted on: 3/21/2022 10:53:52 AM

Testimony for WAL on 3/22/2022 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kostantinos Stamoulis	Individual	Support	Written Testimony Only

Comments:

My name is Kostantinos Stamoulis and I support this bill.

I am a marine scientist who has spent the last 15 years studying coral reefs and marine resource management in Hawaii and throughout the Pacific region. In Hawaii, tourism makes up a major portion of our economy and our natural resources serve as an attraction for visitors. As visitor numbers continue to rise, these invaluable natural resources are at risk in popular locations such as Pupukea Marine Life Conservation District (MLCD). We need to better understand visitor impacts in our marine parks and develop management strategies to protect marine life and ensure sustainable use of these areas. After Hanauma Bay, Pupukea MLCD is the most highly used marine park in the state. This place provides an ideal case study to investigate marine crowding impacts and potential solutions. We need to take steps to protect Pupukea MLCD from overuse in order to maintain the health of this area into the future. This bill is a large step in the right direction.

Mahalo,

Kostantinos A Stamoulis, PhD



**SB-3330-SD-1**

Submitted on: 3/21/2022 10:54:50 AM

Testimony for WAL on 3/22/2022 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Larry McElheny	Individual	Support	Written Testimony Only

Comments:

Aloha

Please support this important bill.

Mahalo

Larry McElheny

(808) 237-9354

**SB-3330-SD-1**

Submitted on: 3/21/2022 11:40:04 AM

Testimony for WAL on 3/22/2022 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Andrea Woods	Individual	Support	Written Testimony Only

Comments:

Please support this very important bill.

Mahalo

**SB-3330-SD-1**

Submitted on: 3/21/2022 4:22:39 PM

Testimony for WAL on 3/22/2022 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lynell Marie DaMate	Individual	Support	Written Testimony Only

Comments:

Aloha Kakou,

My name is Lynell DaMate, my family name is Lucero. I was born and raised in Kahuku. My entire 'Ohana are avid beachgoers. There was a time when Shark's Cove was a favorite beach spot for diving, snorkeling, jumping off the cliffs, an excellent space for family time. However, these last fifteen years or so, not so much anymore. The steady influx in the rise of tourists in this particular stretch of beach has literally pushed the local residents out from enjoying this special space. One doesn't need to apply sunblock, whether you want to or not, just dive in and you come out coated with it. While trying to snorkel, you are surrounded by muffled conversations and many legs. It is so filled with bodies. Needless to say, my family doesn't frequent, let alone enjoy, this once amazing beach anymore. My grandchildren tells me, "It's too crowded grandma." I regret not being able to share and teach my younger ones the wonderment of the marine life in its natural habitat. It saddens me!

Then there's the comfort station. Way too small to accommodate such large crowds. You stand elbow to elbow in the changing area and there are only two toilets, still! There's always a long line to the showers to rinse off. Divers and dive companies use up so much water when they bring big tubs to soak and rinse their equipment while the children stand around shivering and wating patiently for their turn.

Please move SB3330 forward in the hope that some measures can happen to better manage the overcrowded area known as Shark's Cove.