

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of  
SUZANNE D. CASE  
Chairperson**

**Before the Senate Committees on  
PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS  
and  
WATER AND LAND  
and  
AGRICULTURE AND ENVIRONMENT**

**Thursday, March 31, 2022  
1:00 PM  
State Capitol, Conference Room 229 & Videoconference**

**In consideration of  
SENATE CONCURRENT RESOLUTION 201/SENATE RESOLUTION 194  
STRONGLY URGING THE UNITED STATES ARMY CORPS OF ENGINEERS TO  
WORK WITH THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO  
MITIGATE NEGATIVE IMPACTS TO CORALS AND OTHER IMPORTANT CORAL  
REEF RESOURCES WHILE DREDGING IN STATE WATERS.**

Senate Concurrent Resolution 201/Senate Resolution 194 strongly urge the United States Army Corps of Engineers (Corps) to work with the Department of Land and Natural Resources (Department) to mitigate negative impacts to corals and other important coral reef resources while dredging in state waters. **The Department supports these measures and offers the following comments.**

Coral reefs are vital to the health of the fragile coastal ecosystem that has sustained the people of Hawai'i from time immemorial. In order to ensure that important coastal resources such as coral reefs can continue to support the people of Hawai'i, the Department has set-up extensive preventative and mitigating measures in the form of administrative, criminal, and civil penalties for the destruction of corals and live rock.

The Department recognizes that maintenance dredging is important to keeping shipping lanes clear of debris and that ensuring shipping channels are functioning provides many benefits to the people of Hawai'i. However, under the current Nationwide Permit 35 authorization from the Corps, maintenance dredging does not require consultation with the Department, does not require

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

**ROBERT K. MASUDA**  
FIRST DEPUTY

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

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

any quantitative surveying of the affected area, nor does it require any mitigating efforts to reduce the negative impacts of the proposed dredging. Because there is such a high value placed on the coastal resources of Hawai‘i, the Department believes that the wanton destruction of corals and other important coral resources without consultation with the Department and without any type of plan to document affected corals and mitigate the negative impacts of the dredging activity is extremely harmful to the people and coastal resources of Hawai‘i and directly contradictory to the role of the Department that stewards these resources held in trust for the people of Hawai‘i.

The Department recently met with the Corps to discuss ways to improve coordination on maintenance dredging projects. The Corps expressed a desire to coordinate better with the State to mitigate the loss of corals and other aquatic resources in the future. These resolutions are an opportunity for the Corps to recognize the importance the State of Hawai‘i has placed on its coastal resources, especially its coral reefs, and allow permittees to continue to carry out important maintenance dredging activity while working with the Department to mitigate negative impacts to coral reefs and other important coral resources.

Thank you for the opportunity to comment on these measures.

**SCR-201**

Submitted on: 3/30/2022 11:24:02 AM

Testimony for PSM on 3/31/2022 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
David Sakoda	Testifying for DLNR	Support	Remotely Via Zoom

Comments:

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



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March 30, 2022

Dear Chair Nishihara, Chair Inouye, Chair Gabbard, Vice Chair DeCoite, Vice Chair Keith-Agaran, and members of the Committees

American Marine Corporation (AMC) **opposes** SR194 and SCR201.

While AMC agrees that it is imperative to protect Hawaii corals, AMC contends that the General Conditions in Nationwide Permit 35 has sufficient safeguards and mitigation requirements as written to achieve this goal.

Suspension of “maintenance dredging of Honolulu Harbor and all other channel dredging projects” as stated on Page 2, Line 9 will have a negative impact on the essential maritime traffic in multiple commercial harbors in the State of Hawaii.

Thank you for considering this testimony in opposition of SR194 and SCR201.

Best Regards,

A handwritten signature in blue ink, appearing to read "MacDonald", written over a light blue circular stamp.

Michael “Mac” MacDonald  
Vice President – Hawaii

**SCR-201**

Submitted on: 3/29/2022 9:38:25 AM

Testimony for PSM on 3/31/2022 1:00:00 PM

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

Comments:

To: The Honorable Senators Clarence Nishihara, Chair, Lynn DecCoite, Vice Chair, and members of the Senate Committee on Public Safety, Intergovernmental and Military Affairs,

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 Michael Gabbard, Chair, Clarence Nishihara, Vice Chair, and Members of the Senate Committee on Agriculture and Environment

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

RE: Hearing STRONGLY URGING THE UNITED STATES ARMY CORPS OF ENGINEERS TO WORK WITH THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO MITIGATE NEGATIVE IMPACTS TO CORALS AND OTHER IMPORTANT CORAL REEF RESOURCES WHILE DREDGING IN STATE WATERS, Thursday, March 31, 2022, 1:00 pm

Aloha Chairs Nishihara, Inouye and Gabbard, Vice Chairs DeCoite, Keith-Agaran, and Nishihara, and members of the Committees:

**The Hawai'i Reef and Ocean Coalition strongly supports SCR201 and SR194!**

Shipping channels are essential for providing goods to Hawai'i and require dredging to create, and periodic maintenance to facilitate, maritime shipping traffic. However, **dredging and periodic maintenance should be performed so as to minimize damage to corals**. Corals that will be directly or indirectly impacted by dredging to create or maintain shipping channels should be incorporated into planning efforts to mitigate loss of corals, including avoiding, minimizing, or compensating resource loss.

Corals and other coral reef resources are important aquatic resources for Hawai'i, shaping the State's iconic nearshore reefs and providing key habitats and food for marine fishes and invertebrates. Hawai'i corals are under immense threat due to climate-driven ocean heatwaves, acidification, land-based sources of pollution, especially sediments and nutrients, petrochemical sunscreens, over-fishing, and physical damage caused by storms and human activity. Hawai'i is experiencing increasing numbers of coral bleaching events caused by climate-driven marine heatwaves. Coral bleaching events in 2014 and 2015 led to declines in total coral cover ranging

from thirty to fifty percent across the islands of Hawai‘i, Maui, and Oahu, and up to ninety percent loss in particularly susceptible species at certain sites.

The Legislature should pass this Senate Concurrent Resolution 201 and Senate Resolution 194 stating that the Legislature:

- disagrees with the United States Army Corps of Engineers' finding that destruction of at least seventy coral colonies is considered to be a minimal individual or cumulative adverse effect on the environment;
- strongly urges the United States Army Corps of Engineers to update the Corps' analysis for "individual or cumulative adverse effects" to accurately account for the immense ecological value of corals in Hawai‘i; and
- strongly urges the District Engineer of the United States Army Corps of Engineers in Hawai‘i to exercise power to suspend nationwide permit authorization for maintenance dredging of Honolulu Harbor and all other channel dredging projects, so that each permittee may work with the Department of Land and Natural Resources and other federal partners to mitigate the adverse effects that maintenance dredging will have on the identified coral colonies that will be impacted by the dredging.

Please pass this Senate Concurrent Resolution 201 and Senate Resolution 194!

Mahalo!

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

**SCR-201**

Submitted on: 3/29/2022 2:27:23 AM

Testimony for PSM on 3/31/2022 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jennifer Azuma Chrupalyk	Individual	Support	Written Testimony Only

Comments:

Mahalo. Let the military know that their destruction is **not** more important than our biodiversity, and that they are acting in noncompliance with ESG [*Environmental Social Governance*] protocols. If the Military wants to conduct operations in Hawai'i, they are going to have to learn how to omit or drastically reduce their negative externalities in Hawai'i, or they cannot be here.

It is highly unethical to refuse responsibility for their choices, and if we were talking about a civilian making bad choices, the civilian would be paying a consequence. Well the Military is committing treason because they are threatening the lives and well-beings of their own American citizens - in acts of terrorism against their own country.

**SCR-201**

Submitted on: 3/29/2022 2:51:35 PM

Testimony for PSM on 3/31/2022 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Dara Carlin, M.A.	Individual	Support	Written Testimony Only

Comments:

Stand in Support.