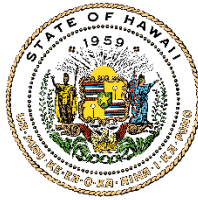


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
DANW N.S. CHANG
Chairperson

Before the House Committee on
JUDICIARY & HAWAIIAN AFFAIRS

Tuesday, February 13, 2024
2:00 PM

State Capitol, Conference Room 325, Via Videoconference

In consideration of
HOUSE BILL 2626, HOUSE DRAFT 1
RELATING TO FISHPONDS

House Bill 2626, House Draft 1 proposes to require the Board of Land and Natural Resources (Board) to make certain findings before issuing a lease for a government-owned fishpond, including that the Applicant has submitted a management plan demonstrating use and knowledge of traditional native Hawaiian practices and protocols and that the proposed lease does not cause a substantial adverse environmental or ecological impact. **The Department of Land and Natural Resources (Department) supports this measure in its current amended form.**

The Department supports perpetuation of traditional land management practices that include Hawaiian fishponds and recognizes the array of benefits that well-managed Hawaiian fishponds offer to the State. The Department further appreciates the amendments to this measure made by the House Standing Committee on Water & Land, which are responsive to concerns stated in the Department's testimony to that Committee.

Mahalo for the opportunity to testify in support of this amended measure.



HB2626 HD1
RELATING TO FISHPONDS.
House Committee on Judiciary and Hawaiian Affairs

February 13, 2024

2:00 PM

Room 325

The Office of Hawaiian Affairs (OHA) **SUPPORTS** HB2626 HD1 which specifies certain findings the Board of Land and Natural Resources must make for a lease of a government-owned Hawaiian fishpond.

For millennia, Native Hawaiians built and maintained a successful and thriving ecosystem of traditional loko i‘a (fishponds) and lo‘i (taro) fields across the Pae ‘Aina. Native Hawaiian traditional ecosystem and resource management methodologies and practices have garnered national and international recognition. Some estimates suggest these successful, thriving, and abundant practices helped to feed around 1 million people, almost as many as are living in Hawai‘i today.

Sadly, European and American contact and colonization led to changes in our land tenure systems, excessive development and environmental degradation, leading to damage, and destruction of many of our traditional loko i‘a and lo‘i and the subsequent ecosystems surrounding them. Today, the hard work of rebuilding, restoration and revitalization of many of our remaining traditional loko i‘a and lo‘i is being done by Native Hawaiians practitioners, families, and communities in collaboration and partnerships, with non-profits, state and federal agencies, including OHA.

OHA supports the development and implementation of the Department of Land and Natural Resources (DLNR) master permit process for traditional Hawaiian fishponds which streamlines the process for the repair, restoration, maintenance, and operation of traditional Hawaiian fishponds. A more streamlined process will accelerate local food production and assist with food security.

Further, **OHA supports the current HD1 version because it prioritizes and requires traditional Native Hawaiian practices and protocols.** This will allow for better managed fishponds as the primary component of the applicant’s tenancy. Non-traditional fishpond restoration and aquaculture activities can have significant ecological consequences, including



HB2626 HD1
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House Committee on Judiciary and Hawaiian Affairs

changes in water quality, habitat alteration, and impacts on native species. Thus, **prioritizing traditional Hawaiian practices and protocols is paramount to the health of our fishponds.**

OHA appreciates the opportunity to share our mana‘o and request the Legislature to **PASS HB2626 HD1**. Mahalo nui loa.



Testimony Before The
House Committee on Judiciary and Hawaiian Affairs
IN SUPPORT OF HB2626 HD1
February 13, 2024, 2:00 PM, Room 325 & Via Zoom

We are Olan Leimomi Fisher and Brenda Asuncion Lima, Kua'āina Advocate and Hui Mālama Loko I'a Coordinator, respectively, testifying on behalf of [Kua'āina Ulu 'Auamo \(or KUA\)](#). "Kua'āina Ulu 'Auamo" stands for "grassroots growing through shared responsibility," and our acronym "KUA" means "backbone." **Our mission is to connect and empower communities to improve their quality of life through the collective care for their biocultural (natural and cultural) heritage, serving as a "backbone organization" that supports creative and community-driven solutions to problems stemming from environmental degradation.** Hawai'i's biocultural resources continue to be negatively impacted by political, economic, and social changes, and the increasing dangers of climate change make fostering and empowering resilient communities acutely critical.

Currently KUA supports three major networks of: (1) almost 40 mālama 'āina (caring for our 'āina or "that which feeds") community groups collectively referred to as E Alu Pū (moving forward together); (2) over 60 loko i'a (fishpond aquaculture systems unique to Hawai'i) and wai 'ōpae (anchialine pool systems) sites in varying stages of restoration and development, with numerous caretakers, stakeholders, and volunteers known as the Hui Mālama Loko I'a ("caretakers of fishponds"); and (3) the Limu Hui made up of over 50 loea (traditional experts) and practitioners in all things "limu" or locally-grown "seaweed." Our shared vision is to once again experience what our kūpuna (ancestors) referred to as 'āina momona – abundant and healthy ecological systems that sustain our community resilience and well-being.

KUA strongly supports HB2626 HD1 as an incremental step toward 'āina momona.

Prior to 1900, Hawai'i had close to 500 flourishing loko i'a, sustaining communities in numerous ways including through sustainable local seafood, limu, shellfish, and fertilizer – at one time producing an average of 400-600 pounds of fish per acre per year, yielding over 2 million pounds of fish annually throughout Hawai'i. (See Generally, [Loko I'a Needs Assessment, 2021](#)). The U.S. Organic Act of 1900 (the Act) abandoned the support of most semblances of Native Hawaiian governance, especially in regard to biocultural resource management. The Act then transferred the aegis of governance – or lack thereof – to a U.S. laissez faire market system, ended Konohiki Fishery Management, and condemned loko i'a – extinguishing most of the existing ownership and operations of these systems. For context, in 1901 the catch and sale data for commercial 'ama'ama (mullet) – believed to be mostly fishpond-raised – decreased from close to 800,000 pounds of fish to less than 3,000 pounds today, with an estimated 88% of all food consumed in Hawai'i now imported. **Rebuilding our robust and sustainable local food systems is critical to community resilience in the face of more frequent natural disasters** such as the recent devastating Lahaina fires and 2018 floods, climate change, and long lasting pandemics.

Up until about nine years ago, all loko i'a were once stymied by an overly burdensome permitting process that would often take decades to secure all the required state and federal permits to restore the ponds. A partnership of regulatory agencies, funders, and nonprofits formed in 2012 to design a better process, including input from members of KUA's Hui Mālama Loko I'a – and the Hō'ala Loko I'a Program was born after extensive consultations with loko i'a practitioners, scientists, resource agencies, and government officials. **Since the [Hō'ala Loko I'a Program](#) was implemented in 2015, 23 fishpond permits have been approved on six of the main Hawaiian Islands, with an average processing time reduced from many years to under one month.** The success of permit streamlining for fishponds serves as a resounding example of the power of our collective sharing of responsibility to care for our island home and resources.

Looking at the lessons learned from the successful permit streamlining process, we hope to one day also implement streamlining for fishpond leases as well. However, **we find it equally important to ensure that any applicants using the current leasing process understand and utilize the time-tested techniques and practices through native Hawaiian scientific knowledge best-adapted to our unique Hawai'i environment.** HB2626 HD1 would most-likely attract and secure more Native Hawaiian and local community individuals and organizations to fishpond management, further increasing the likelihood of more successful multi-sector partnerships where our "shared responsibility" to care for our island resources would benefit all that love Hawai'i. As we build a better future for our keiki, **we appreciate creative and collaborative approaches that build the capacity and skills of the next generation with intention, and in a way that benefits ongoing community efforts at loko i'a as a catalyst for ecosystem regeneration.**

The communities we work with are committed to ensuring the long-term health of our biocultural resources that they have cared for and depended on for generations since time immemorial. **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 taking the steps necessary for greater self-sufficiency, development of a pipeline of new and more innovative career pathways, mindsets, relationships, and resources for mālama 'āina efforts that encourage and build upon the time-tested . Passing this bill out of your committee is a start on a pathway toward reaching this vision.

Mahalo for this opportunity to submit supportive testimony. Please **PASS** HB2626 HD1.

Aloha 'Āina Momona no nā kau ā kau.



The Nature Conservancy, Hawai'i and Palmyra
923 Nu'uuanu Avenue
Honolulu, HI 96817

Tel (808) 537-4508
Fax (808) 545-2019
nature.org/HawaiiPalmyra

**Testimony of The Nature Conservancy
Supports HB 2626 HD1, Relating to Fishponds
Committee on Judiciary & Hawaiian Affairs
February 13, 2024, 2:00 p.m.
Conference Room 325 & Videoconference**

Aloha Chair Tarnas, Vice Chair Takayama, and Members of the Committee:

The Nature Conservancy (TNC) supports HB 2626 HD1, relating to fishponds, which specifies certain findings the Board of Land and Natural Resources must make for a lease of a government-owned Hawaiian fishpond.

Today, Hawaii's marine environment faces threats from anthropogenic sources of pollution, sedimentation, overharvesting, lack of community ownership, and an overall decrease in the competitive advantage of native species over non-natives. Scientists believe that present day reef fish stocks in Hawai'i have decreased by 75% in the past century. We believe fishponds may be able to assist in increasing fish stocks by providing additional juvenile recruitment and relieving fishing pressure on wild stocks of some reef fish species. In addition, fishponds can reduce sediment reaching the reefs, and may help to increase water recharge. Their rock walls may also mitigate some of the effects of sea level rise on coastal areas.

We strongly support the development and implementation of the Department of Land and Natural Resources (DLNR) master permit process for traditional Hawaiian fishponds which helps streamline the process for the repair, restoration, maintenance, and operation of traditional Hawaiian fishponds, or loko i'a. Hawaiian fishponds are culturally important and can be a potential solution to enhance the food security of communities in Hawai'i. A more streamlined process will ensure greater care for, restoration, productivity and cultural connectivity for traditional fishponds. TNC commends and supports the current version which acknowledges and prioritizes the ancestral wisdom and time-tested management of Hawai'i by requiring traditional Native Hawaiian knowledge, practice and protocols in the lease and management plans.

Thank you for the opportunity to support HB 2626.

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HB-2626-HD-1

Submitted on: 2/10/2024 4:28:19 PM

Testimony for JHA on 2/13/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Uilani Naipo	Individual	Support	Written Testimony Only

Comments:

I am in strong support of this measure, HB2626 HD1.

Please pass this measure and allow Hawai‘i to restore loko i‘a, restore our traditional practices and pilina with our ‘āina, and restore our food security and ‘āina momona.

- U‘ilani Naipo