

**STATE OF HAWAII
OFFICE OF PLANNING
& SUSTAINABLE DEVELOPMENT**

JOSH GREEN, M.D.
GOVERNOR

MARY ALICE EVANS
DIRECTOR

235 South Beretania Street, 6th Floor, Honolulu, Hawaii'i 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii'i 96804

Telephone: (808) 587-2846
Fax: (808) 587-2824
Web: <https://planning.hawaii.gov/>

Statement of
MARY ALICE EVANS, Director

before the
HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Thursday, February 27, 2025, 2:00 PM
State Capitol, Conference Room 325

in consideration of
HB 661, HD 1
RELATING TO ENVIRONMENTAL REVIEW.

Chair Tarnas, Vice Chair Poepoe, and Members of the House Committee on Judiciary & Hawaiian Affairs.

The Office of Planning and Sustainable Development (OPSD) **supports** HB 661, HD 1, and offers **comments with amendments** on HB 661, HD 1 which intends to clarify and resolve the effect that recent court decisions have had on long-standing historically permitted activities in managed areas. HB 661, HD 1 would amend HRS Chapter 343 by adding a new paragraph with language establishing that under certain limiting circumstances, a previously permitted or authorized activity that is being challenged as to whether the activity is subject to the requirements of the HRS 343 may continue while those requirements are being pursued.

OPSD notes that the findings section of this bill suggests that **previously permitted or authorized** commercial activities are intended to be the subject of the bill, however, language in the proposed in the HD 1 (on page 14, lines 1 and 2) states that the subject activities include those "... or undertaken by a(n) ... applicant" This language could allow commercial activities that were "undertaken" but not permitted or authorized to continue pursuant to the bill, which is counter to the intent of the bill.

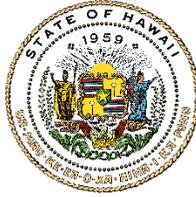
OPSD suggests the following amendment starting on page 13, line 20 to clarify this confusion:

“(j) Notwithstanding any provision of this chapter to the contrary, when an activity that has been previously permitted, or authorized, ~~or undertaken~~ by a state or county agency ~~or applicant~~ is challenged ...”.

Thank you for the opportunity to testify on this measure.

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

P.O. BOX 621
HONOLULU, HAWAII 96809

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

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FIRST DEPUTY

CIARA W.K. KAHAHANE
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

Testimony of
DAWN N. S. CHANG
Chairperson

Before the House Committee on
JUDICIARY & HAWAIIAN AFFAIRS

Thursday, February 27, 2025
2:00 PM

State Capitol, Conference Room 325 & Videoconference

In consideration of
HOUSE BILL 661 HD1
RELATING TO ENVIRONMENTAL REVIEW

House Bill 661 HD1 proposes an amendment to Chapter 343, Hawaii Revised Statutes (HRS), also known as the Hawai'i Environmental Policy Act (HEPA), to permit, except in certain circumstances, a previously authorized activity as being subject to environmental review to continue while the applicable agency conducts assessment, prepares an environmental impact statement, or determines whether the activity is exempt. **The Department of Land and Natural Resources (Department) supports the intent of this measure and offers the following comments.**

Recent judicial interpretations of HEPA have resulted in significant challenges for the Department and other agencies. Notably, the Hawai'i Supreme Court ruled in Umberger, et al. v. DLNR, 140 Hawai'i 500 (2017), that all Aquarium Fish permits issued by the Department's Division of Aquatic Resources (DAR) pursuant to section 188-31, HRS, are subject to HEPA. Subsequently, in Kaupiko et al. v. DLNR, Case No. 1CCV-20-0000125 (2020), the First Circuit Court ruled that HEPA also applies to the taking of aquatic life for commercial aquarium purposes under licenses issued by DAR pursuant to section 189-2, HRS (or "Commercial Marine Licenses" or "CMLs"). As a result, the Department no longer issues CMLs for commercial aquarium purposes, while continuing to issue CMLs for the commercial harvest of marine resources for food and other non-aquarium purposes.

More recently, the Second Circuit Court in Nā Papa'i Wawae 'Ula'ula, et al. v. DLNR, Case No. 2CC-17-1-000483 (2024), enjoined the Department from issuing or renewing any commercial use permits (CUPs) for activities in Kā'anapali ocean waters off West Maui until a determination is made that the activities are exempt from HEPA, or an environmental review is completed. The initial scope of the litigation targeted six CUPs issued by the Department's Division of Boating and Ocean Recreation

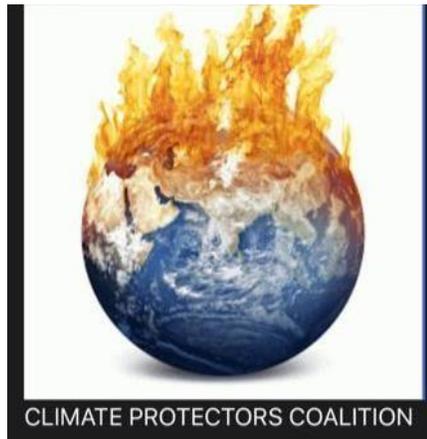
(DOBOR), but the court's immediate decision also affects the renewal of a total of thirty active DOBOR CUPs for Kā'anapali ocean waters. This situation presents a considerable economic risk for these permittees, as many have been operating at Kā'anapali for decades, and the inability to renew these CUPs would lead to the immediate cessation of longstanding operations.

The Department shares the courts' intent to ensure proper environmental review of activities that have the potential for substantial environmental impacts. However, many of these ocean recreational activities have been permitted for many years, in some cases 20 years. The Department constantly strives to find balance between preserving and protecting our valuable natural and cultural resources while permitting a level of commercial recreational activities that provide jobs, opportunities for locals and visitors to enjoy our ocean resources, and a source of revenue for the Department. Without a mechanism for continued operations during environmental review, impacted businesses are forced to cease operations indefinitely, resulting in job losses and economic harm without knowing the environmental impact of these long-standing ocean recreational activities. We believe this bill permit the status quo, no expansion of activities, pending the Department's determination of appropriate environmental review.

In response to concerns that the bill may create an overly broad exemption, the Department recommends clarifying and narrowing its applicability to certain permitting activities under DOBOR and DAR. Specifically, the Department proposes the following amendment to limit the bill's scope.

On **page 14, lines 1-2 of the bill**, the Department recommends adding the underlined language: "authorized, or undertaken by a state or county agency or applicant pursuant to chapters 187A, 188, 189, 190, or 200 is challenged as being subject to the requirements of..."

Mahalo for the opportunity to testify on this measure.



To: The Honorable Representative David Tarnas, Chair, the Honorable Mahina Poepoe, Vice Chair, and Members of the Judiciary & Hawaiian Affairs Committee.

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

Re: **Hearing HB661 HD1 RELATING TO ENVIRONMENTAL REVIEW**

Hearing: Thursday February 27, 2025 2:00 p.m. CR325

Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the Judiciary & Hawaiian Affairs Committee!

The Hawai'i Reef and Ocean Coalition (HIROC) is a group of scientists, educators, filmmakers and environmental advocates who have been working since 2017 to protect Hawaii's coral reefs and ocean. We support funding for environmental stewardship. The mission of the Climate Protectors Hawai'i is to educate and engage the local community in climate change action, to help Hawai'i show the world the way back to a safe and stable climate. We support measures to reduce climate warming and its impacts.

Hawai'i Reef and Ocean Coalition and Climate Protectors Hawai'i respectfully but **STRONGLY OPPOSE HB661HD1!**

As a Deputy Attorney General, for 14 years I represented the agencies that administer Hawaii's Environmental Policy Act (HRS chapters 343 and 344, aka HEPA), the Office of Environmental Quality Control and the Environmental Council. **It is my considered opinion that this bill would undercut the core purpose of HEPA, to ensure that projects with potential environmental impacts undergo proper review before they proceed, allowing for informed decision-making and public participation.** It would make environmental review an afterthought in many instances instead of a useful planning process.

Not all existing commercial operations are small, benign, and without environmental impacts. Not all "previously undertaken activities" should be grandfathered from review of environmental impacts, especially when they have new projects or programs, while environmental review takes place. Most operations should not be allowed to continue to damage the environment while being reviewed. To allow this continuation could have grave consequences for our precious coral reefs and other critical ecosystems.

This bill is overbroad and threatens to cause sweeping damage beyond its intended scope. If legal change is needed to specific areas, it should be to the relevant statutes that authorize permits in specific areas, not to a general law like HEPA!

If litigation over existing charter boat operations has not been settled and an exemption for them is still desired, that situation should be addressed narrowly, not used as a basis to extend, as this bill does, an exemption from environmental review to all previously permitted commercial operations. HEPA already provides for agencies to establish procedures to exempt from environmental assessments "specific types of actions, because they will probably have minimal or no significant effects on the environment." HRS Sec. 343-6(a)(2).

The overbroad language in this bill could allow the indefinite continuation, for example, of aquarium trade operations and the dewatering of East Maui streams. This broad exemption language looks like an inappropriate end-run against validly decided court decisions, *Umberger, et al. v. DLNR*, *Kaupiko et al. v. DLNR*, etc.

Please hold this bill in current overbroad form!

Mahalo!

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

HB-661-HD-1

Submitted on: 2/25/2025 12:55:43 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Christopher Kasper	Calypso Charters	Support	Written Testimony Only

Comments:

Aloha,

I strongly support this bill.

Mahalo



COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

DATE: Thursday February 27, 2025

TIME: 2:00 PM

Strongly Support HB661 WITH NOTED CHANGES

Aloha Chairs Tarnas and Vice Chair Poepoe and committee members,

My name is Antoinette Davis. It has been my honor to represent the Activities and Attractions Association of Hawaii (A3H), a not-for-profit 501c6 trade organization, as its executive director since 1997 (28 years). **A3H strongly supports HB661 with noted changes below.**

HB661 is opposed by viewing this as a threat to HEPA, aka: Umberger Ruling regarding aquarium fishing. **In no way is this Bill meant to undermine the Umberger Ruling. Its intention is to prevent the closure of non-consumptive tour boats off of Ka'anapali Beach.**

To pass this Bill will directly help the 32 permitted Ka'anapali companies keep running while the EA is done. To shut down businesses who have been running legally and ethically (some for 4 decades) suddenly without any proof that any one of them has specifically done anything wrong is just completely unfair and frankly scary. This is an unintended consequence of the current HEPA process, intended to stop consumptive activities, e.g. aquarium collection activities.

If not stopped, what is happening in Ka'anapali will set a precedent for every harbor, beach, park, special management area, etc. in the state. If this same very vocal anti-tourism minority group that is suing the Ka'anapali and Mala permits (and they are the same people) get these businesses shut down without one piece of proof offered up, the rest of the state may find themselves in the same position.

Recommendation:

Add exceptions to Hawaii Environmental Policy Act (HEPA) that will allow activities to continue during an EA/EIA:

- Areas where commercial, permitted and government oversight exist, and these activities have been ongoing for several decades.
- ONLY for non-consumptive permitted activities

Without this determination, over 230 families will directly be out of work and countless other vendors which serves these businesses will also face hardships.

Mahalo for your time and consideration

HB-661-HD-1

Submitted on: 2/25/2025 12:58:44 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tanner Vaughn	Teralani sailing	Support	Written Testimony Only

Comments: My name is tanner vaughn and I work for Teralani sailing. I strongly support HB661 because Kaanapali is vital to my job and many others who rely on ocean tourism to stay on Maui. After the Lahaina fire, many of us lost our homes and livelihoods. Working in Kaanapali has been one of the few ways to rebuild and support our families. Our boats operate with minimal impact—leaving only bubbles and taking only photos—while providing jobs and keeping our community afloat. If boat operators are forced to shut down due to lengthy environmental reviews, many of us will lose our jobs and our ability to stay on Maui. Please pass HB661 to protect our livelihoods and help our community recover. Mahalo

Testimony in support of HB #661

Aloha Chair and Members of the Committee,

I'm writing in strong support of house bill HB 661. After all that our Lahaina residents have gone through with the fire and subsequent struggle to survive and provide for their families, this bill provides a balanced and reasonable path forward that considers environmental impact without negatively impacting jobs for local residents.

Without sacrificing the livelihoods of those working directly for the boating industry, or sacrificing the greater recovery of local jobs due to the slowly improving return of visitors to our island, this bill still maintains a requirement to operate in an environmentally responsible manner, conduct any necessary studies, and ensure that we move forward in an overall responsible manner – both for our environment and for the livelihoods of our local residents.

Thank you for your continued efforts to lead our community out of tragedy and into a sustainable & responsible future for all.

Mahalo,

Josh Hargrove

General Manager – The Westin Maui Resort & Spa

Chairman – The Maui Hotel & Lodging Association

HB-661-HD-1

Submitted on: 2/25/2025 1:39:32 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Don Prestage	Sail Maui	Support	Written Testimony Only

Comments:

Aloha Chairs Tarnas, Vice Chair Poepoe, and Committee Members,

My name is Don Prestage, and I am writing on behalf of Sail Maui, a locally owned and operated sailing charter business. We strongly support HB661, with the suggested changes outlined below.

Unfortunately, there has been opposition to HB661 due to concerns that it threatens the HEPA (Umberger Ruling) regarding aquarium fishing. To be clear, this bill does not intend to undermine the Umberger Ruling. Its purpose is to ensure that non-consumptive tour boats operating off Ka‘anapali Beach are not unjustly forced out of business.

Passing this bill would allow 32 legally permitted operators in Ka‘anapali to continue their operations while the Environmental Assessment process is completed. These businesses, many of which have been serving the community for decades, are now facing sudden closure—without any evidence that they have done anything wrong. This is an unintended consequence of the current HEPA process, which was originally meant to regulate consumptive activities, such as aquarium fish collection.

If this situation is not addressed, the shutdown of Ka‘anapali operators will set a dangerous precedent for every harbor, beach, park, and special management area across the state. The same vocal anti-tourism group that is now targeting Ka‘anapali and Mala permits could replicate this strategy elsewhere, threatening businesses statewide—without any proof of wrongdoing.

Recommended Amendment to HB661:

To protect long-standing, responsible businesses, we propose adding an exception to the Hawaii Environmental Policy Act (HEPA) for:

- Areas where commercially permitted activities have been operating under government oversight for more than 30 years.
- This exception should apply only to non-consumptive permitted activities.

Without this protection, over 230 local families who depend on these businesses will lose their livelihoods, along with numerous vendors and suppliers who rely on them.

We appreciate your time and consideration in supporting a fair and balanced solution for Ka'anapali and the broader maritime industry in Hawai'i.

Mahalo,
Don Prestage
Sail Maui

HB-661-HD-1

Submitted on: 2/25/2025 1:50:00 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David B Moore	Teralani Sailing Adventures	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am the General Manager of Teralani Sailing Adventures, a commercial operation in Ka‘anapali that is now facing potential closure due to regulatory uncertainty. I am submitting this testimony in strong support of HB661, H.D.1, because without a provision allowing federally and state-regulated operators to continue working while new environmental regulations are developed, our business—and many others—will be forced to shut down.

We employ over 50 individuals, all of whom rely on the stability of our operations. If there is no legislative action to provide relief, we will be left with no choice but to lay off employees and cease operations while an environmental assessment (EA) is completed. The financial burden of shutting down for an extended period is simply insurmountable, particularly for businesses like ours that have made substantial long-term investments in infrastructure, vessel maintenance, and regulatory compliance.

The State of Hawai‘i stands to lose significant revenue if these businesses are forced to close. Just this week, a committee unanimously voted to increase commercial ocean operators’ gross revenue fee from 3% to 5%, recognizing our industry’s economic contribution. If operators shut down, the state will lose this revenue entirely—a revenue stream that was just deemed critical enough to increase.

The need for legislative support is clear. The federal government recognized the essential role of commercial maritime operators, approving two rounds of CERTS funding to sustain our industry and its critical infrastructure during prolonged disruptions. The challenges we face now—stemming from regulatory uncertainty—are no different. Our businesses provide essential services, and the cost of shutting down, even temporarily, would be devastating not just to us, but to the economy of West Maui as a whole.

Beyond tourism, our operation, along with many others, became the single lifeline to West Maui after the fires, transporting critical supplies and personnel when access to the region was restricted. The very businesses that stepped up in a time of crisis are now being put in jeopardy due to bureaucratic roadblocks.

West Maui cannot afford another economic blow. HB661 provides a balanced and necessary solution, allowing businesses that are critical to our islands infrastructure and who are already

compliant with U.S. Coast Guard and State of Hawai'i regulations to continue operating while environmental assessments are conducted. This is the only fair and reasonable path forward.

I urge you to support and pass HB661, H.D.1, to protect the businesses that sustain West Maui's economy, ensure the state continues to receive vital commercial revenues, and prevent further unnecessary economic hardship on our community.

Mahalo for your consideration.

HB-661-HD-1

Submitted on: 2/25/2025 1:57:59 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Steve Edwards	Teralani Sailing Adventures	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee

I am writing in strong support of **HB661, HD1**

Small businesses in West Maui, particularly those in **Ka'anapali**, are being unfairly impacted by a broader environmental issue—one that now threatens the livelihoods of **dozens of locally owned businesses** and the **hundreds of families** who depend on them. These businesses have consistently operated **in full compliance** with the strict regulations set by both the **U.S. Coast Guard** and the **State of Hawai'i**, ensuring safe and responsible ocean activities.

While environmental protection is essential, we must also ensure that **local businesses and working families are not harmed in the process**. **HB661 offers a practical solution**—allowing businesses that **already meet existing laws and regulations** to continue operating **while environmental assessments are conducted**. This approach accomplishes two key objectives:

1. **Preserving our environment** through responsible assessment and planning.
2. **Protecting local jobs and businesses** that have already endured severe economic hardship following the **devastating wildfires**.

West Maui cannot afford further job and business losses due to **unnecessary bureaucratic delays**. This bill provides a **fair and balanced** approach to **both environmental responsibility and economic stability**. I urge you to **pass HB661** to support local businesses, sustain West Maui families, and ensure that **responsible operators** can continue serving our community

Mahalo for your time and consideration.

Stephen Edwards

HB-661-HD-1

Submitted on: 2/25/2025 2:04:37 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tets Yamazaki	Sheraton Maui, Kaanapali Resort Association	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I, Tets Yamazaki, General Manager of Sheraton Maui Resort & Spa, am in **support of HB661**. I am fully in support of Ka’anapali boating and ocean recreation and passing HB661.

I am writing on behalf of management and associates at the resort community.

Maui and Lahaina/Ka’anapali continues to be in critical condition. Recovery for us following the horrendous fires as residents, employees and businesspeople has been at a snail’s pace that does not seem to be moving forward with any real pace now or for the foreseeable future.

Not having ocean activity will create a difficulty in tourists and visitors choosing Kaanapali as a destination and this will further set us behind in our recovery. We have already lost local residents working in our industry; we will anticipate more loss should the recovery of visitor further delays.

Hotels, tourism and the businesses related to the hospitality industry are struggling to regain any level of occupancy and productivity. Exacerbating this by any measure to remove, eliminate or further take away business or activities for our guests to participate in while staying in Ka’anapali or West Maui seems unconscionable. Due to a position taken recently by Judge Cahill *“ALL” businesses in Kaanapali for ocean recreation, boating and watersports will cease to exist once their current permits expire* and remain closed until an environmental assessment is conducted.

My interpretation of HB661 is that it provides for an operator to go forward and continue with their operations and services during the process of an environmental review. Services as permitted would be allowed to continue everything for operations as is normal circumstance if/when permits are challenged for environmental or other concerns. Having this continuation of services is very important as it allows the operator to remain in business and continue until or if reviews show that for any reason operations should be stopped. If narrowing this Bill to apply to Ka’anapali ORMA permit operators as was the intention assist in moving forward towards approval that would be fully acceptable.

I’m asking you to please vote for and *pass HB661* for the sake of our communities, families, business investments and small entrepreneurs that are the backbone of our economy.

Thank you for your time in reading and considering my testimony.

Mahalo,

Tets Yamazaki

General Manager

Sheraton Maui Resort & Spa

President, Kaanapali Beach Resort Association

HB-661-HD-1

Submitted on: 2/25/2025 2:13:46 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Zachary LaPrade	Quicksilver Charters	Support	Written Testimony Only

Comments:

Dear Chair, Vice Chair, and Committee Members,

I respectfully urge your support for HB661, a bill crucial to allowing ocean tour operators in Kaanapali to continue their services during the environmental review process. Without this legislation, even well-regulated, longstanding operators who have met all permitting requirements could face extended shutdowns.

These operators provide both residents and visitors with a unique opportunity to experience Hawaii’s marine environment responsibly. They also play an important role in conservation by educating the public and promoting sustainable tourism practices.

HB661 offers a balanced approach—safeguarding our natural resources while supporting the small ocean tour businesses that have operated under state oversight for decades. I encourage you to pass this bill to protect our local ocean tourism industry, the jobs it creates, and the families who depend on it.

Sincerely,

Zachary LaPrade

HB-661-HD-1

Submitted on: 2/25/2025 2:20:02 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Travis Morrin	Three's Bar & Grill	Support	Written Testimony Only

Comments:

Subject: Support for SB1074 – Protecting Local Businesses and Jobs

Aloha,

My name is Travis Morrin, and I am writing to express my strong support for SB1074.

As a resident and employee here on Maui, I have seen firsthand the challenges our community has faced, especially in recent times. We need legislation like SB1074 to help us recover and continue growing. This bill provides important support, and I urge you to pass it so that we can continue on our path to recovery.

At Three's Bar & Grill, we've been serving locals and visitors for over 15 years, offering a welcoming place for everyone. Our success is directly tied to the health of the local economy, and SB1074 will allow us to keep operating without the threat of unnecessary delays or forced closures due to environmental reviews.

We also operate a catering service that supports Teralani Sailing Charters, serving tens of thousands of meals each year to guests aboard their boats. This partnership has been a key part of our business, helping us reach more people and contribute to the local tourism industry. With more than 80 employees, many of whom are family members, we depend on the business we provide through both the restaurant and our catering service. Passing SB1074 will help protect these jobs and allow us to continue supporting our dedicated team.

I believe in protecting Hawaii's environment, and SB1074 strikes a fair balance by allowing businesses like ours to continue operating while undergoing necessary environmental reviews if permits are contested. +

Passing SB1074 will protect both the environment and the livelihoods of families who depend on businesses like ours. Forcing lawfully permitted businesses to shut down for years to conduct costly studies would hurt the local economy, lead to job losses, and decrease the number of customers we rely on.

History shows that businesses that lose their permits and shut down rarely recover. This bill is essential to ensuring that Three's Bar & Grill, our catering service, and other local businesses remain strong parts of Maui's economy for years to come.

Please pass SB1074 to support the businesses and families that are the heart of West Maui.

Mahalo for considering my testimony and for your continued support of our community.

**Sincerely,
Travis Morrin
Owner/Employee, Three's Bar & Grill**

HB-661-HD-1

Submitted on: 2/25/2025 2:21:59 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chandra Bertsch	Holo Holo Charters	Support	Written Testimony Only

Comments:

Chandra Bertsch

Co-Owner & General Manager

Holo Holo Charters

As a boat tour operator on Kaua'i, I am concerned with the recent rulings regarding Ka'anapali operators and I strongly support HB661.

This bill promotes fairness and stability by allowing law-abiding businesses to continue operating during environmental reviews, rather than facing costly shutdowns. Without it, we risk losing businesses, jobs, and industry expertise that have sustained our economy for generations.

While environmental reviews are essential, they have been misused to force businesses into lengthy legal battles. HB661 ensures operations continue until clear evidence proves harm—just as individuals are presumed innocent until proven guilty.

This bill protects both the environment and local livelihoods, preventing unnecessary financial ruin. Let's keep Hawai'i working—please pass HB661.



Maui Hotel & Lodging
ASSOCIATION

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. David A. Tarnas, Chair
Rep. Mahina Poepoe, Vice Chair

February 25, 2025

Subject: Strong Support for HB661 HD1

Aloha Chair Tarnas, Vice Chair Poepoe and Committee members

On behalf of Maui Hotel and Lodging Association we wish to express our **STRONG SUPPORT** for HB661 HD1. This bill is crucial in preventing unnecessary disruptions to law-abiding businesses, ensuring stability for commercial boating and other compliant operations in our community.

We believe it is essential for businesses to have the assurance that they will be able to renew their permits each year. This certainty provides necessary security for their employees, financial institutions, and other stakeholders who depend on the continued viability of these operations.

Mahalo for your time and consideration of this important matter.

Sincerely,

John Pele
Executive Director- Maui Hotel and Lodging Association
John.pele@mauihla.org

HB-661-HD-1

Submitted on: 2/25/2025 2:39:21 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Daniel Hazen	Holo Holo Charters, Inc.	Oppose	Remotely Via Zoom

Comments:

Aloha,

My name is Daniel Hazen, Operations Manager for Holo Holo Charters on Kauai. I am writing to express my **strong support for House Bill 661**. This bill is vital for ensuring that previously permitted activities can continue operating while undergoing environmental review if their permits are challenged. That said, I understand that the bill could have consequences beyond what was intended. I am open to language that supports legal, commercially permitted users operating out of DLNR and DOT harbors.

An amended HB 661 provides a necessary safeguard for businesses, preventing unnecessary disruptions and costly shutdowns during environmental reviews. It strikes a fair balance between maintaining environmental protection and supporting regulated operations that comply with the law. If operators are forced to suspend their activities while conducting extensive environmental studies, it could lead to the closure of businesses and a devastating loss of jobs.

I urge you to pass HB661 with amendments and support the families, businesses, and local communities that depend on these activities for their livelihoods.

Sincerely,
Daniel Hazen

Operations Manager

HB-661-HD-1

Submitted on: 2/25/2025 2:44:13 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chris Goff	Three's Bar & Grill	Support	Written Testimony Only

Comments:

Subject: Support for SB1074 – Protecting Local Jobs and Our Ohana

Aloha,

My name is Chris Goff, and I am writing to express my strong support for SB1074.

As a resident and employee here on Maui, I have seen how much our community has struggled, especially in the past few years. Our families and neighbors have faced many challenges, and we need help to recover. SB1074 offers that support, and I urge you to pass this bill so we can continue to provide for our ohana and keep our jobs.

I work at Three’s Bar & Grill, a place that has been a part of Maui for over 15 years, offering a welcoming space for both locals and visitors. For me and many others, Three’s isn’t just a job—it’s part of my life. We take care of each other like family, and our success is tied to the health of the local economy. Passing SB1074 will allow us to keep working without the threat of unnecessary delays or closures that would hurt our community even more.

In addition to the restaurant, we also provide catering for Teralani Sailing Charters, serving tens of thousands of meals to guests each year. This partnership helps us reach more people, brings business to our community, and helps support the tourism industry. With over 80 employees, many of us are family members, and we depend on the work we do to provide for ourselves and our loved ones. Passing SB1074 will protect these jobs and make sure we can continue supporting each other.

I care deeply about protecting Hawaii’s environment, and SB1074 strikes a fair balance. It allows businesses like ours to continue running while going through any necessary environmental reviews if permits are contested.

If we are forced to shut down for years while costly studies are conducted, it will hurt the local economy, cause job losses, and create more uncertainty for families like mine. History shows that businesses that lose their permits often never reopen, and that’s something none of us want to see. This bill is critical to ensure that Three’s Bar & Grill, our catering service, and other local businesses can continue supporting their employees and the Maui community for years to come.

Please pass SB1074 to support the people and families who are the heart of West Maui. We need your help to keep our jobs and continue taking care of our ohana.

Mahalo for considering my testimony and for your support of our community.

Sincerely,
Chris Goff

GM, Three's Bar & Grill

HB-661-HD-1

Submitted on: 2/25/2025 2:45:36 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brooke Marocco	Three's Bar & Grill	Support	Written Testimony Only

Comments:

Subject: Support for SB1074 – Protecting Local Jobs and Our Ohana

Aloha,

My name is Brooke Marocco, and I am writing to express my strong support for SB1074.

As a resident and employee here on Maui, I have seen how much our community has struggled, especially in the past few years. Our families and neighbors have faced many challenges, and we need help to recover. SB1074 offers that support, and I urge you to pass this bill so we can continue to provide for our ohana and keep our jobs.

I work at Three’s Bar & Grill, a place that has been a part of Maui for over 15 years, offering a welcoming space for both locals and visitors. For me and many others, Three’s isn’t just a job—it’s part of my life. We take care of each other like family, and our success is tied to the health of the local economy. Passing SB1074 will allow us to keep working without the threat of unnecessary delays or closures that would hurt our community even more.

In addition to the restaurant, we also provide catering for Teralani Sailing Charters, serving tens of thousands of meals to guests each year. This partnership helps us reach more people, brings business to our community, and helps support the tourism industry. With over 80 employees, many of us are family members, and we depend on the work we do to provide for ourselves and our loved ones. Passing SB1074 will protect these jobs and make sure we can continue supporting each other.

I care deeply about protecting Hawaii’s environment, and SB1074 strikes a fair balance. It allows businesses like ours to continue running while going through any necessary environmental reviews if permits are contested.

If we are forced to shut down for years while costly studies are conducted, it will hurt the local economy, cause job losses, and create more uncertainty for families like mine. History shows that businesses that lose their permits often never reopen, and that’s something none of us want to see. This bill is critical to ensure that Three’s Bar & Grill, our catering service, and other local businesses can continue supporting their employees and the Maui community for years to come.

Please pass SB1074 to support the people and families who are the heart of West Maui. We need your help to keep our jobs and continue taking care of our ohana.

Mahalo for considering my testimony and for your support of our community.

Sincerely,
Brooke Marocco
Employee, Three's Bar & Grill



Environmental Caucus of The Democratic Party of Hawai'i

February 25, 2025

Testimony in Opposition to HB661 HD1 - RELATING TO ENVIRONMENTAL REVIEW.

To: Chair David A. Tarnas, Vice Chair Mahina Poepoe, and Members of the Committee on Judiciary & Hawaiian Affairs

From: Environmental Caucus of the Democratic Party of Hawaii

Date: February 27, 2025 **Time:** 2:00 p.m.

Location: Conference Room 325 and via Videoconference

Subject: Opposition to HB661 HD1

Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the Committee on Judiciary & Hawaiian Affairs,

The Environmental Caucus of the Democratic Party of Hawaii, strongly oppose HB661 HD1. This bill, which permits previously authorized activities to continue while under environmental review, presents significant risks to our environment and undermines the integrity of the environmental review process. We respectfully urge you to reject this bill for the following reasons:

1. **Threatens Environmental Protections:** Allowing activities to continue while under environmental review could lead to significant and potentially irreversible environmental damage. The environmental review process is designed to identify and mitigate potential impacts before activities proceed, ensuring that our natural resources are protected. HB661 HD1 undermines this essential safeguard.
2. **Encourages Noncompliance:** Permitting activities to continue during the review process incentivizes noncompliance with environmental regulations. Operators may feel less compelled to adhere to environmental standards if they know they can proceed without completing the necessary assessments. This bill effectively rewards noncompliance, setting a dangerous precedent.
3. **Compromises Public Health and Safety:** The environmental review process is crucial for identifying potential risks to public health and safety. By allowing activities to continue without thorough review, HB661 HD1 places communities at risk. The bill disregards the importance of assessing and addressing potential hazards before they can cause harm.

4. **Erodes Accountability:** HB661 HD1 permits the renewal of permits during the environmental review process, allowing activities to continue unchecked. This lack of accountability undermines the effectiveness of environmental oversight and reduces the ability of regulatory agencies to enforce compliance.
5. **Contradicts State Environmental Goals:** Hawaii has committed to ambitious environmental goals, including the protection of our unique ecosystems and the promotion of sustainable practices. This bill contradicts these goals by prioritizing commercial interests over environmental stewardship. It sends the wrong message about our state's commitment to protecting the environment.
6. **Undermines Public Trust:** The public relies on the environmental review process to ensure that activities are conducted responsibly and sustainably. Allowing activities to proceed without completed reviews erodes public trust and confidence in the regulatory framework designed to protect our environment. Transparency and thoroughness are essential for maintaining public trust.

In conclusion, we urge the Judiciary and Hawaiian Affairs Committee to reject HB661 HD1. Protecting our environment is paramount, and this bill undermines the very processes designed to safeguard it. We must prioritize thorough and complete environmental assessments before allowing any activities to proceed.

Thank you for considering our testimony.

Mahalo nui loa,

Melodie Aduja and Alan Burdick

Co-chairs, Environmental Caucus of the Democratic Party of Hawaii

February 27, 2025

Representative David A. Tarnas, Chair
Committee on Judiciary & Hawaiian Affairs
Senate
Conference Room 325
State Capitol
415 S. Beretania Street
Honolulu, HI 96813

Subject: Testimony in Strong Support of HB661 – Relating to Environmental Review

Aloha Chair Tarnas and Members of the Committee on Judiciary & Hawaiian Affairs

My name is Edwin Torres, General Manager of the OUTRIGGER Kā'anapali Beach Resort, and I strongly **support HB661**

Recent court decisions indicate that hundreds, if not thousands, of permit holders are in jeopardy of being shut down due to the application of Chapter 343 to longstanding permitted activities.

Local family businesses that have been lawfully operating for decades under administrative rules will be forced to close unless the legislature takes immediate action.

This bill ensures that long-standing, law-abiding commercial activities are not unfairly subjected to redundant environmental reviews under Chapter 343. Hawaii's ocean tourism operators already comply with strict administrative rules designed to protect natural resources. HB661 provides much-needed clarity and prevents unnecessary disruptions.

By excluding ongoing, permitted activities from the definition of "action," this bill ensures regulatory efficiency while protecting the thousands of local residents that depend on permits issued by the State to make a living.

Mahalo for considering this testimony.

Sincerely,



Edwin Torres
General Manager

HB-661-HD-1

Submitted on: 2/25/2025 3:27:45 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sea Sports Distributors	Sea Sports Distributors	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

We are submitting this testimony in strong support of HB661, HD1.

As a local supplier to these small businesses we encourage you to please take into account the vast number of livelihoods that are being affected. West Maui’s small businesses, particularly those operating in Ka’anapali, are being unfairly caught up in a broader environmental issue. These businesses have long operated in full compliance with stringent regulations set by both the U.S. Coast Guard and the State of Hawai‘i, ensuring safe and responsible ocean activities.

Many of these hard working folks lost their homes, family and friends due to the fires. Why add to their burden they have been through enough. They know the importance of protecting our oceans. HB661 provides a commonsense solution—allowing businesses that are already compliant with existing laws and regulations to continue operating while environmental assessments are completed.

This bill strikes a fair balance between environmental stewardship and economic stability. We strongly urge you to pass HB661 to protect our local businesses, preserve West Maui families’ livelihoods, and ensure that responsible operators can continue serving our community.

Mahalo nui for your time and thoughtful consideration.

Sea Sports Distributors

HB-661-HD-1

Submitted on: 2/25/2025 3:27:59 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Julie Lewer	Island Dream Productions	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am submitting this testimony in strong support of HB661, HD1.

HB661 provides a commonsense solution—allowing businesses that are already compliant with existing laws and regulations to continue operating while environmental assessments are completed. This approach achieves two critical goals:

1. Safeguarding the environment through proper assessments and planning.
2. Protecting local jobs and families who have already suffered immense economic hardship following the devastating wildfires.

Maui cannot afford to lose more businesses and jobs. This bill strikes a fair balance between environmental stewardship and economic stability.

I strongly urge you to pass HB661 to protect our local businesses, preserve Maui families' livelihoods, and ensure that responsible operators can continue serving our community.

Mahalo for your time and consideration.



House Committee on Judiciary & Hawaiian Affairs

Thursday, February 27, 2025, 2 PM Hearing in Conference Room 325 on
HB 661, HD1 Relating to Environmental Review

TESTIMONY

Douglas Meller, Legislative Committee, League of Women Voters of Hawaii

Chair Tarnas, Vice Chair Poepoe, and Committee Members:

The League of Women Voters of Hawaii opposes HB 661, HD1.

Chapter 343, Hawaii Revised Statutes, is “triggered” by private permit applications for “use” of public property or the Conservation District. In April 2024, the Hawaii Intermediate Court of Appeals (ICA) ruled that Chapter 343 required a formal determination as to whether an environmental assessment (EA) must be prepared prior to DLNR approval of 6 permit applications for commercial thrill craft at Kaanapali. Since the ICA ruling the DLNR has not determined whether an EA is required for either new permits or renewal of several dozen existing permits for commercial boating at Kaanapali. The League has no position concerning EA requirements for controversial thrill craft permit applications. However, it would be reasonable, and Chapter 343 rules allow, for the DLNR to publish electronic notice that an EA is not required for renewal of noncontroversial permits for existing commercial boating at Kaanapali.

Although applicable to continuation of existing agency and applicant actions, the primary purpose of HB 661 bill was to allow existing Kaanapali boating businesses to renew permits and continue existing commercial activity regardless of whether an EA is required. Unfortunately, this bill is not limited to boating at Kaanapali. HB 661, HD1 proposes that when a private applicant requests agency approval to renew ANY permit which “triggers” Chapter 343, and does not “... include construction, grading, dredging, or other structural modifications...”, there would be no deadline for the approving agency to determine whether an EA is required and no deadline for completion of an EA. In effect Chapter 343 would no longer require either environmental analysis or the opportunity for informed public comment prior to renewal of controversial, problematic permits which authorize private businesses to continue diverting streams, removing native plants and animals, or dumping polluted wastewater.

Thank you for the opportunity to submit testimony.

Testimony in Strong Support of HB661 HD1 – Relating to Environmental Review

February 25, 2025

Aloha Chair and Members of the Committee,

OUTRIGGER Hospitality Group strongly supports HB661 HD1, a critical measure that safeguards the livelihoods of countless workers and the stability of long-standing, lawfully permitted businesses while ensuring Hawai'i's environmental review process remains robust and effective.

Hawai'i's people are the heart of our economy, and for more than 75 years, OUTRIGGER has been committed to responsible business practices that support both environmental stewardship and community well-being. We fully support strong environmental regulations and compliance measures. However, forcing businesses that have already met all regulatory requirements to shut down during permit challenges—before any final determination is made—has severe and destabilizing consequences, especially in a time when so many are already struggling.

In the wake of the devastating wildfires and ongoing economic hardships, families and businesses alike are fighting to stay afloat. Jobs lost due to unnecessary shutdowns don't just affect businesses; they ripple through communities, impacting local families who depend on steady employment to make ends meet. HB661 HD1 provides a necessary safeguard, allowing permitted businesses to continue operations while environmental reviews are conducted—ensuring that workers are not left without income and businesses are not unfairly forced to close their doors permanently.

We have seen firsthand the long-term consequences of previous shutdowns on industries that were never able to recover, such as the commercial aquarium fishing industry. When businesses are driven out due to prolonged bureaucratic processes, they do not come back. Hawai'i cannot afford to continue down a path where lawful businesses, which follow all regulations, are shuttered, leaving workers jobless and communities without vital economic resources.

By passing HB661 HD1, the Legislature can provide regulatory consistency, uphold environmental accountability, and, most importantly, protect the people of Hawai'i who rely on these businesses for their livelihoods. We urge you to support this bill in the interest of Hawai'i's families, businesses and economic sustainability.

Mahalo for your time and consideration.



Mike Shaff

Senior Vice President Operations, The Americas
OUTRIGGER Hospitality Group



SIERRA CLUB OF HAWAI'I

SENATE COMMITTEE ON JUDICIARY

February 27, 2025

2:00 PM

Room 308

In **OPPOSITION** to **HB661 HD1**: RELATING TO ENVIRONMENTAL IMPACT STATEMENTS

Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the Committee,

On behalf of our over 20,000 members and supporters, the Sierra Club of Hawai'i **STRONGLY OPPOSES HB661 HD1**, which would turn our environmental review process into an afterthought, and pave the way for significant and unnecessary environmental, cultural, socioeconomic, and economic impacts to our islands and future generations.

The Sierra Club understands that the impetus behind this measure has been a court ruling that found the Department of Land and Natural Resources (DLNR) in violation of our environmental review law, in its issuance of commercial operator permits for the waters off the Ka'anapali coast. **The Sierra Club notes that the plaintiffs' attorney has submitted testimony on the spiritual companion to this measure, SB1074 SD1, indicating that they are poised to resolve this matter via settlement with the state, and without undermining the foundation of our environmental review law.**

The Sierra Club emphasizes that this measure will result in significant, unnecessary, and potentially irreversible impacts to the wide range of public interests in our islands' vital but fragile environment. Our environmental review law has, for 40 years, played a critical role in ensuring that certain decisions potentially impacting our islands' environmental, cultural, and socioeconomic integrity are carefully and transparently assessed by government decisionmakers, **before** they render their decisions and proposed actions are taken. The environmental review process also helps to ensure that these decisionmakers explicitly consider ways to avoid such impacts, to the extent feasible. Notably, the environmental review law includes opportunities for decisionmakers with limited experiences to be informed by those with a wide range of expertise, insight, and perspectives - including Native Hawaiian cultural practitioners and others with intimate place-based knowledge of their local environment and associated cultural and recreational practices.

Unfortunately, as has been affirmed time and again by our court system, agencies sometimes fail to follow the requirements of the environmental review law prior to decisionmaking, allowing actions to proceed or continue without any of the benefits of environmental review. This includes the issuance of commercial permits to allow the unlimited take of marine life for aquarium purposes, as well as of stream diversion permits that have drained streams needed by watersheds, estuaries, and rural Native Hawaiian communities for decades. **Notably, in the latter example, the dewatering of East Maui's streams continued, uninterrupted, for**



SIERRA CLUB OF HAWAI'I

nearly 20 years after an environmental review for long-term diversions was ordered by the circuit court - a practice that has most recently been confirmed as illegal by the Hawai'i Supreme Court. Such failures to follow the established law have resulted in long-term, deleterious, and otherwise avoidable impacts including impaired watersheds and aquatic ecosystems, severely diminished regional food security, substantial water waste, cessation of cultural and subsistence practices, and many others.

This measure would legitimize these and other unlawful and harmful agency practices, and open the door for future abuses of our environment, culture, and community rights and interests. Allowing actions to be executed and continued while environmental review requirements are considered, challenged, and/or rectified - something which may take years or decades - would essentially make environmental review an afterthought, rather than a prudent planning and harm mitigation mechanism. **With the after-the-fact environmental reviews implicitly authorized by this measure, even well-meaning decisionmakers will be inevitably pressured by political and/or monied special interests to disregard their environmental review obligations in favor of expedited approvals to continue unlawfully authorized actions – with no meaningful remedy for the unaccounted-for harms inflicted, as legal review and compliance actions are dragged on for years or indefinitely.**

As we continue to navigate an era of unprecedented uncertainty and instability, we need much greater, not less, mindfulness and prudence in how we treat our environment - the very foundation of our future generations' existence. This bill proposes the exact opposite. Please do not pass this measure.

Accordingly, the Sierra Club respectfully urges the Committee to **HOLD** HB661 HD1. Thank you very much for this opportunity to testify.

HB-661-HD-1

Submitted on: 2/25/2025 4:08:33 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kai Nishiki	Na Papa‘i Wawae ‘Ula‘ula’	Oppose	Remotely Via Zoom

Comments:

Aloha Committee,

Nā Pāpa‘i Wāwae ‘Ula‘ula submits this testimony in **strong opposition to HB 661**.

In addition to voicing our strong opposition to HB 661, we would like to take the opportunity to provide this Committee with additional information and context regarding the lawsuit involving the commercial boating operations in Kā‘anapali and the tentative agreement we have reached, which renders this drastic bill completely unnecessary.

In 2017, we filed suit against DLNR asking it to consider the environmental impacts of the increased commercial activity in Kā‘anapali because of concerns for public safety in the ocean, as well as public access and parking, discharge of wastewater into our nearshore environment, among other things. In 2024, the court ordered DLNR to halt issuing and renewing commercial permits off Kā‘anapali until DLNR could complete an environmental assessment, or determine the permits are exempt from review.

Following the Court’s decision, Nā Pāpa‘i immediately reached out to DLNR to propose an interim solution that implemented common sense permit conditions and actions that would allow commercial activity to continue while environmental assessments were ongoing. We received no response from DLNR.

DLNR’s inaction unnecessarily escalated this situation and has pitted West Maui community members and families against each other. Thankfully, community leaders took matters into their own hands and contacted the boaters directly to work out a solution, long before this bill was introduced. The commercial boating community was extremely receptive, and we have since been in talks with boating industry leaders.

The parties have reached a tentative agreement that would allow boating activities to continue, with protections in place that address the community’s concerns, including ocean safety and public access while environmental review takes place. Sadly, instead of engaging with the parties to reach a solution in this case, DLNR has dragged its feet on this agreement, and is now begging the state legislature for a blank check that would further enable their on-going mismanagement, while also systemically dismantling environmental protections with no recourse.

This bill would give DLNR free reign to continue to rubberstamp a variety of destructive activities far beyond boating with no accountability to the community, the courts, or this legislative body.

If DLNR were interested in actually helping the parties reach a consensus, we would be there already, but DLNR, and their attorney, Miranda Steed, have been nothing but an obstacle in this process.

We urge you to vote NO on HB 661. Having this bill pending while we are trying to finalize our settlement is only driving a further wedge between the parties and our community, and it is not conducive to finding workable solutions that benefit everyone. The urgency to pass HB 661 is manufactured. This bill is drastic, divisive, and unnecessary.

Please reject HB 661.

Please do not hesitate to reach out if you have any questions or if I can be a further resource for you.

Mahalo,

Kai Nishiki

Director,

Nā Pāpa'i Wāwae 'Ula'ula'

HB-661-HD-1

Submitted on: 2/25/2025 4:42:04 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rod Nichols	Ka'anapali Kai Charters	Support	Written Testimony Only

Comments:

I Rod Nichols am submitting this testimony in strong support of HB661, HD1.

West Maui's small businesses, particularly those operating in Ka'anapali, are being unfairly caught up in a broader environmental issue—one that now threatens the livelihood of dozens of locally owned businesses and hundreds of West Maui families who rely on them. These businesses have long operated in full compliance with stringent regulations set by both the U.S. Coast Guard and the State of Hawai'i, ensuring safe and responsible ocean activities.

While protecting our environment is critical, we must also ensure that local businesses and working families are not collateral damage in the process. HB661 provides a commonsense solution—allowing businesses that are already compliant with existing laws and regulations to continue operating while environmental assessments are completed. This approach achieves two critical goals:

- 1 Safeguarding the environment through proper assessments and planning.
- 2 Protecting local jobs and families who have already suffered immense economic hardship following the devastating wildfires.

West Maui cannot afford to lose more businesses and jobs due to unnecessary bureaucratic delays. This bill strikes a fair balance between environmental stewardship and economic stability. I strongly urge you to pass HB661 to protect our local businesses, preserve West Maui families' livelihoods, and ensure that responsible operators can continue serving our community.

Mahalo for your time and consideration,

Rod Nichols

HB-661-HD-1

Submitted on: 2/25/2025 4:43:47 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Matt Talbot	Teralani Sailing	Support	Written Testimony Only

Comments:

I Matthew Talbot am submitting this testimony in strong support of HB661, HD1.

West Maui’s small businesses, particularly those operating in Ka’anapali, are being unfairly caught up in a broader environmental issue—one that now threatens the livelihood of dozens of locally owned businesses and hundreds of West Maui families who rely on them. These businesses have long operated in full compliance with stringent regulations set by both the U.S. Coast Guard and the State of Hawai’i, ensuring safe and responsible ocean activities.

While protecting our environment is critical, we must also ensure that local businesses and working families are not collateral damage in the process. HB661 provides a commonsense solution—allowing businesses that are already compliant with existing laws and regulations to continue operating while environmental assessments are completed. This approach achieves two critical goals:

- 1 Safeguarding the environment through proper assessments and planning.
- 2 Protecting local jobs and families who have already suffered immense economic hardship following the devastating wildfires.

West Maui cannot afford to lose more businesses and jobs due to unnecessary bureaucratic delays. This bill strikes a fair balance between environmental stewardship and economic stability. I strongly urge you to pass HB661 to protect our local businesses, preserve West Maui families’ livelihoods, and ensure that responsible operators can continue serving our community.

Mahalo for your time and consideration,

Matthew Talbot

TESTIMONY HB661

Subject: TESTIMONY IN SUPPORT of HB661– Environmental Review

Aloha Chair and Members of the Committee,

I, Jon Gersonde, General Manager of The Ritz-Carlton Maui, Kapalua strongly **support of HB661** as it allows ocean recreation and boating businesses in Ka'anapali to keep operating during the environmental review. This bill prevents the shutdown of 27 longstanding businesses, protecting 260 jobs and millions in community revenue. These operators have always followed regulations, and their continued operation is crucial for our community's recovery and economic stability. Please vote in favor of **HB661**.

Mahalo for considering this testimony.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Gersonde', written in a cursive style.

Jon Gersonde,
General Manager
The Ritz-Carlton Maui, Kapalua

HB-661-HD-1

Submitted on: 2/25/2025 5:04:32 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John & Rita Shockley	Free Access Coalition	Oppose	Written Testimony Only

Comments:

Aloha!

The Free Access Coalition OPPOSES HB661. We must keep the teeth in our protection of our clean drinking water.

Mahalo for your time

HB-661-HD-1

Submitted on: 2/25/2025 5:13:13 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
eric kingma	Hawaii Longline Association	Support	Written Testimony Only

Comments:

This bill is important to prevent the weaponization of HEPA, which if left unmitgated, could be used to attempt to shut down various DLNR permitted activities including hunting, commercial fishing, and ocean tourism and recreation.

HB-661-HD-1

Submitted on: 2/25/2025 5:44:41 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan B Roberts Emery	Green Party of Hawai'i	Oppose	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Poepoe, and members of the Committee on Judiciary & Hawaiian Affairs,

My name is Susan RobertsEmery, and I am Co-chair of the Green Party of Hawai'i. We are writing today to offer our Strong opposition to HB661 HD1, which would allow a vast range of illegally authorized activities to continue, potentially indefinitely, without a required consideration of their environmental, cultural, and social impacts to our islands and our present and future generations.

Our environmental review law allows decisionmakers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, BEFORE those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

Unfortunately, the failure of certain departments to comply with this law before authorizing certain actions - has resulted in severe and in some cases irreparable ecological, cultural, social, and economic harms that could and should have been avoided through the prudent planning embodied in our environmental review law.

This bill would turn our environmental review process into an afterthought, legitimizing unlawful and irresponsible agency practices that have inflicted and that will continue to inflict tremendous generational harms and injustices upon our islands and communities.

The Green Party of Hawai'i urges you to **HOLD HB661 HD1**.

Mahalo,

Susan RobertsEmery
Co-chair GPH
Paauilo



TESTIMONY HB661
TESTIMONY IN FULL SUPPORT of HB661 – Environmental Review

February 25, 2025

Strongly Support HB661 WITH NOTED CHANGES

Aloha Chairs Tarnas and Vice Chair Poepoe and committee members,

HB661 has been under opposition by those seeing this as a threat to HEPA, aka: Umberger Ruling regarding aquarium fishing. **In no way is this Bill meant to undermine the Umberger Ruling. It's intention is to prevent the shut down of non-consumptive tour boats off of Ka'anapali beach out of business.**

To pass this Bill will directly help our 2 permitted Ka'anapali catamarans keep running while the EA is done. To shut down our businesses which has been operating legally and ethically at Kaanapali Beach since 1994, all of a sudden without any proof that we have specifically done anything wrong is just completely unfair and frankly scary. This is an unintended consequence of the current HEPA process, intended to stop consumptive activities, e.g. aquarium collection activities.

If not stopped, what is happening in the Ka'anapali ORMA will set a precedent for every harbor, beach, park, special management area, etc. in the state. If this same very vocal anti-tourism minority group that is suing the Ka'anapali and Mala permits (**and they are the same people**) get our businesses shut down without one piece of proof offered up, the rest of the state may find themselves in the same position. Since the Lahaina wild fires in August 2023, we have struggled to keep our businesses open, employees with work and continue to operate with the highest standards of safety and the protection of the ocean environment.

Recommendation:

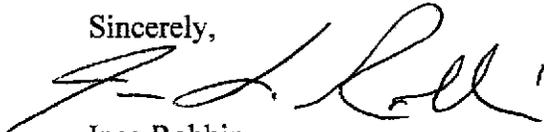
Add exceptions to Hawaii Environmental Policy Act (HEPA) for:

- Areas where commercial, permitted and government oversight exists, and these activities have been ongoing for over 50 years.
- This exception is ONLY for non-consumptive permitted activities

Without this determination, our family, all our employees and their dependents will be forced to move to the mainland to find work. Countless other vendors which serve our businesses will also be negatively impacted.

Mahalo for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Inca Robbin". The signature is fluid and cursive, with a prominent initial "I" and a long, sweeping underline.

Inca Robbin
Sailing Maui Inc.

HB-661-HD-1

Submitted on: 2/25/2025 6:56:07 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Francisco Javier Barberi	Han hou hospitality restaurants	Support	Written Testimony Only

Comments:

We support this bill.

HB-661-HD-1

Submitted on: 2/25/2025 7:09:32 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Choon James	CountryTalkStory	Oppose	Written Testimony Only

Comments:

OPPOSE. Please protect our living environment, for our own sake.

HB-661-HD-1

Submitted on: 2/25/2025 7:10:45 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mike Moran	Kihei Community Assoc. (KCA)	Oppose	Written Testimony Only

Comments:

Aloha Chair Tarnas, and V Chair Poepoe

We oppose this measure as written because of the effect it can have on our reef fish. It can allow fish collectors to scoop up our natural resource for their own financial benefit. Each time we believe this action has been stopped, we see it return once again. Please insure this does not happen. Protect Hawaii's natural resources and keep them here in Hawaii

Mahalo

Mike Moran for KCA

HB-661-HD-1

Submitted on: 2/25/2025 7:25:54 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Robert Culbertson	Big Island Reef Keepers hui	Oppose	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Poepoe, and members of the Committee on Judiciary & Hawaiian Affairs,

I strongly oppose HB661 HD1, which would allow a vast range of illegally authorized activities to continue, potentially indefinitely, without a required consideration of their environmental, cultural, and social impacts to our islands and our present and future generations.

Our environmental review law allows decisionmakers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

I urge you to **HOLD HB661 HD1**.

Sincerely,
R A Culbertson

member, Big Island Reef Keepers hui

Honokaa

HB-661-HD-1

Submitted on: 2/25/2025 7:31:13 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
George Garnes	Sailing Shipp's Ltd	Support	Written Testimony Only

Comments:

Aloha Chair

My name is George Garnes and I am the co owner of Sailing Shipp's and I STRONGLY SUPPORT HB661.

Please support HB661 for ocean tour boats. This bill is essential for ensuring that ocean tourism operators in Kaanapali can continue their operations while undergoing environmental review. Without this bill, these longstanding, regulated operators face the risk of being shut down for years—even when they have complied with all permitting requirements.

These tour operators allow residents and visitors to experience Hawaii's marine environment with minimal disruption, supporting conservation efforts through education and sustainable tourism practices.

This bill strikes a fair balance between protecting our natural resources through 343 and supporting the small ocean tour businesses that have operated responsibly under state oversight for decades.

Please pass HB661 to protect our local ocean tourism industry, the jobs it supports, and the families who depend on it.

Mahalo for your time.

-George

HB-661-HD-1

Submitted on: 2/25/2025 7:51:38 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mike Nakachi	Moana Ohana	Oppose	Remotely Via Zoom

Comments:

Aloha e Chair Tarnas, Vice Chair Poepoe, and Committee Members on Judiciary & Hawaiian Affairs,

My name is Mike Nakachi representing Moana Ohana from Moku o Keawe from the district of Kekahawai'ole and I **strongly oppose HB661**, which would allow a vast range of illegally authorized activities to continue, potentially indefinitely, without a required consideration of their environmental, cultural, and social impacts to our islands and our present and future generations.

Our environmental review law allows decisionmakers and the public to make more fully informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

Unfortunately, the failure of certain departments to comply with this law before authorizing certain actions - such as permitting the take of an unlimited number of of ecologically critical marine specimens for the aquarium trade, or the decades-long dewatering of streams in East Maui - has resulted in severe and in some cases irreparable ecological, cultural, social, and economic harms that could and should have been avoided through the prudent planning embodied in our environmental review law. We need this rule of Law with HEPA to be in place in perpetuity for us to Aloha Aina, to Malama Aina and restore Aina Momona

By allowing illegally authorized activities to continue while environmental review challenges are resolved - something that has taken literal decades in the dewatering of East Maui's streams - this bill would turn our environmental review process into an afterthought, legitimizing unlawful and irresponsible agency practices that have inflicted and that will continue to inflict tremendous generational harms and injustices upon our islands and communities.

I urge you to **HOLD HB661**.

With Aloha Always, Mike Nakachi

Moana Ohana, Moku O Keawe

HB-661-HD-1

Submitted on: 2/25/2025 8:23:24 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lucas King	Pacific Jet Sports	Support	Written Testimony Only

Comments:

My name is Lucas King, and I work for Pacific Jet Sports in Kaanapali. I am reaching out to express my concerns regarding the recent news about permit renewal restrictions for businesses in our area.

As you are aware, our community has already suffered tremendously due to the devastating Lahaina wildfire, which resulted in the loss of Front Street and significantly impacted our local economy. The decline in tourism has further exacerbated our situation, putting immense strain on businesses and families that rely on this industry for their livelihoods.

I find it difficult to understand how imposing additional restrictions on permits will benefit our economy or support the hardworking individuals who have already faced so many challenges. Many of these businesses, including Pacific Jet Sports, are family-owned and play a crucial role in our community. By preventing them from renewing their permits, we risk further economic decline and the loss of jobs for those who have already endured so much.

I urge you to reconsider these restrictions and explore alternative solutions that support our local businesses and foster economic recovery. It is crucial for the state to prioritize the well-being of its citizens, and I believe that working together can lead to a more positive outcome for everyone involved. Thank you for your attention to this matter. I hope to see a more supportive approach for our community and its businesses.



Jaron Blosser

1279 south Kihei rd.

Kihei, HI 96753

2/24/25

To Whom It May Concern,

I am writing in strong support of SB1074. As a longtime Maui resident and business owner, I have seen firsthand the challenges our community faces. This bill is essential to our economic recovery, ensuring businesses like ours can continue operating without unnecessary shutdowns due to environmental reviews.

For over 15 years, our sister restaurant Three's Bar & Grill has served locals and visitors, providing jobs for more than 80 employees. Our catering partnership with Teralani Sailing Charters helps sustain the tourism industry, supporting countless families. If businesses lose permits and are forced to close, many never reopen, leading to job losses and economic setbacks.

I believe in protecting Hawaii's environment, and SB1074 offers a fair balance—allowing businesses to operate while undergoing necessary reviews when contested. This bill will safeguard both livelihoods and sustainability, keeping Maui's economy strong.

Please pass SB1074 to support local businesses and families.

Mahalo,

Jaron Blosser

Owner/Employee, Three's Bar & Grill

HB-661-HD-1

Submitted on: 2/25/2025 9:17:59 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kim Ball	Hi-Tech Surf Sports	Support	Written Testimony Only

Comments:

Aloha Chairman Tamas & the Committee on Judiciary and Hawaiian Affairs,

I am testifying in favor of HB 661. I own Hi-Tech Surf Sports. We have been in business for 43 years and have five Maui locations, employing 60 local residents. Most of our business is local but many of them depend on visitor spending for their livelihood. I also might add, I have no business connection with any of the charter boat companies.

We lost our three family homes in the Lahaina fire. We also lost Lahaina Harbor, and it doesn't look like we're getting back the Harbor anytime soon. Now we are in danger of losing the charter boat business at Kaanapali.

A company like Tirlogy Excursions, who are a local family-owned business like ours, and who have been good community partners, may be out of business on West Maui for the first time in over 50 years!

Trilogy did lose one boat in the fire, but one of their captains, Riley Coon, was able to use another Trilogy vessel to rescue people out of the water the night of the fire. Riley was awarded the Congressional Medal of Honor Citizens Honor in Washington D.C. on behalf of his crew and company.

We don't need more negative publicity about Lahaina and West Maui. I strongly urge you to pass HB 661. Mahalo.

HB-661-HD-1

Submitted on: 2/25/2025 10:19:13 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kula Raquedan	Kaanapali Kai Charters	Support	Written Testimony Only

Comments:

I am submitting this testimony in strong support of HB661, HD1.

West Maui’s small businesses, particularly those operating in Ka’anapali, are being unfairly caught up in a broader environmental issue—one that now threatens the livelihood of dozens of locally owned businesses and hundreds of West Maui families who rely on them. These businesses have long complied with stringent regulations set by the U.S. Coast Guard and the State of Hawai‘i, ensuring safe and responsible ocean activities.

While protecting our environment is critical, we must also ensure that local businesses and working families do not suffer collateral damage in the process. HB661 provides a commonsense solution—allowing businesses that are already compliant with existing laws and regulations to continue operating while environmental assessments are completed. This approach achieves two critical goals:

1. Safeguarding the environment through proper assessments and planning.
2. Protecting local jobs and families who have already suffered immense economic hardship following the devastating wildfires.

West Maui cannot afford to lose more businesses and jobs because of unnecessary bureaucratic delays. This bill strikes a fair balance between environmental stewardship and economic stability. I strongly urge you to pass HB661 to protect our local businesses, preserve West Maui families’ livelihoods, and ensure that responsible operators can continue serving our community.

Thanks for your time on this.

HB-661-HD-1

Submitted on: 2/26/2025 1:09:41 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Victoria Takamine	‘Ilio’ulaokalani	Oppose	In Person

Comments:

Aloha Mai Kakou

I am Vicky Holt Takamine, the Kumu Hula of Pua Ali'i 'Ilima, the po'o of 'Ilio'ulaokalani & a member of the Northwestern Hawaiian Islands Hui.

WE STRONGLY OPPOSE HB 661 HD1

We have been involved in advocating for the protection of these waters for more than 20 years now. We helped to draft the initial plans that established the Papahānaumokuākea Marine sanctuary. We hosted First Lady Bush at Washington Place in 2006 and were invited to the White House for the designation by President Bush for the announcement of the Marine Sanctuary on June 15, 2006. Native Hawaiian fishermen Isaac Harp and Uncle Buzzy Agard have witnessed first-hand what overfishing in these waters have done to our resources...depletion of lobsters and the starving of our monk seals.

We are deeply concerned about commercial and industrial levels of “non-commercial” extractive activities, including fisheries, in state waters.

Severely undermines core protections for Native Hawaiian rights and cultural practices and Hawai'i's foundational environmental law, potentially leading to substantial, irreversible environmental and cultural harm.

We know that commercial fisheries and longliners have come out in large numbers to open up these waters.. Many are Not from here.Many are Not Native Hawaiian and don't share the same Kuleana for the protection of our natural and cultural resources that as we do. We strongly urge you to oppose HB661 HD1

Mahalo Nui Loa

Vicky Holt Takamine

HB-661-HD-1

Submitted on: 2/26/2025 5:33:12 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ivy Vinayaga	Cafe Jai, LLC	Support	Written Testimony Only

Comments:

Halting permit renewals during environmental assessments with an undisclosed period of time, will in turn halt boat operations inevitably. This would severely impact the business of the boats but also hurt the supporting local business providers including food, alcohol, music, dancers etc. The ripple effect would bring financial harm to the businesses and employees who depend on this interconnected network of services.

HB-661-HD-1

Submitted on: 2/26/2025 5:38:23 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Teresa Lynn	3two3 Promotions	Support	Written Testimony Only

Comments:

Dear Chair, Vice Chair, and Members of the Committee,

We understand the importance of an environmental review, but we ask that you support SB1074. It is the only fair option to protect our natural resources through 343 and support SB1074, which allows the ocean tourism to continue in Kaanapali while the review takes place.

Small ocean tour businesses have always operated responsibly and continue to do so. This industry and its tour operators allow visitors and residents to immerse themselves in the majesty of Hawai'i's marine environment which only educates and deepens the respect and desire for conservation.

If this bill does not pass and operators are forced to shut down, the repercussions on the tourism industry, the businesses that support it and the families that rely on it will be devastating on a community that is still trying to recover from the fire.

We support and request that you please pass SB1074 .

Best regards

Teresa Lynn

TESTIMONY HB:661

TESTIMONY IF FULL SUPPORT of HB 661 – Environmental Review

Aloha Chair and Members of the Committee,

My name is Philippe Le Blanc, and I've been working in the ocean recreation and boating sector on Maui for over a decade. I am writing to express my **STRONG** support for HB 661, which provides critical protection for long-standing operators in Kaanapali to continue to work during the environmental review processes.

As I understand it, HB 661 would allow operators to continue their services and day-to-day operations while undergoing environmental reviews. This continuation is essential because it enables businesses to remain operational unless or until reviews show that changes are necessary. Halting operations prematurely would cause severe financial strain and a high risk of permanently closing businesses that have diligently followed all guidelines and regulations for decades.

While protecting Hawaii's natural resources is essential, it's equally important to support responsible businesses that operate within established guidelines. Many of these businesses have been serving the community for years and contribute significantly to the local economy. Forcing them to shut down during the review process would punish operators who have played by the rules and will result in hundreds to even thousands of jobs lost, financial instability, and a negative impact on the broader community. **West Maui is still recovering from the wildfires and we're hanging on by a thread. Without this bill's help, many businesses will face their final death blow and never recover.**

If experienced and dependable operators are forced to close due to delays or lengthy environmental reviews, history shows they are unlikely to return. The loss of these businesses would be catastrophic to Hawaii's economy and community resilience. HB 661 helps ensure that we don't unnecessarily lose valuable operators by allowing them to continue operations while reviews are conducted.

I urge you to vote in favor of HB 661 to protect our local businesses, preserve jobs, and support small entrepreneurs who are the backbone of our economy.

Thank you for your time and consideration.

Mahalo,
Philippe Le Blanc
(808) 344-5887

TESTIMONY HB:661

TESTIMONY IF FULL SUPPORT of HB 661 – Environmental Review

Aloha Chair and Members of the Committee,

My name is Gabe Miranda, and I am the General Manager of Island Scuba Inc., a long-standing business in the ocean recreation sector on Maui. I am writing to express my **strong support for HB 661**, which is crucial for allowing established operators in Kaanapali to continue their work while environmental review processes are underway.

HB 661 is necessary because it enables businesses like ours to keep serving the community and supporting our employees during the environmental review period. This provision is critical to maintaining financial stability and safeguarding jobs unless the review process identifies the need for changes. Shutting down operations prematurely would place an overwhelming financial burden on businesses, threatening their survival—even for companies that have consistently adhered to regulations and best practices.

While environmental protection is undoubtedly important, we must also support responsible local businesses that play by the rules and contribute significantly to our economy. Many of these operators have served the community for years, creating jobs and supporting local families. Forcing them to close during the review process would unfairly punish those who have complied with all guidelines, leading to job losses, economic instability, and a negative impact on the community.

West Maui is still recovering from the devastating wildfires, and the situation remains fragile. Without the relief provided by this bill, many businesses will face insurmountable challenges, risking permanent closure and leaving employees without jobs or income.

History has shown that if long-standing and reliable operators are forced out of business due to delays or lengthy environmental reviews, they rarely make a comeback. The loss of these businesses would have serious consequences for Hawaii's economy and community resilience. **HB 661** offers a balanced approach, allowing businesses to continue operations while environmental assessments are conducted. This approach protects jobs and supports the local economy without compromising environmental integrity.

I respectfully urge you to **vote in favor of HB 661** to protect our community's businesses, preserve jobs, and sustain the small entrepreneurs who are the backbone of our local economy.

Thank you for considering this important issue.

Mahalo,

Gabe Miranda

General Manager, Island Scuba Inc.

TESTIMONY HB:661

TESTIMONY IF FULL SUPPORT of HB 661 – Environmental Review

Aloha Chair and Members of the Committee,

My name is Philippe Le Blanc, and I've been working in the ocean recreation and boating sector on Maui for over a decade. I am writing to express my **STRONG** support for HB 661, which provides critical protection for long-standing operators in Kaanapali to continue to work during the environmental review processes.

As I understand it, HB 661 would allow operators to continue their services and day-to-day operations while undergoing environmental reviews. This continuation is essential because it enables businesses to remain operational unless or until reviews show that changes are necessary. Halting operations prematurely would cause severe financial strain and a high risk of permanently closing businesses that have diligently followed all guidelines and regulations for decades.

While protecting Hawaii's natural resources is essential, it's equally important to support responsible businesses that operate within established guidelines. Many of these businesses have been serving the community for years and contribute significantly to the local economy. Forcing them to shut down during the review process would punish operators who have played by the rules and will result in hundreds to even thousands of jobs lost, financial instability, and a negative impact on the broader community. **West Maui is still recovering from the wildfires and we're hanging on by a thread. Without this bill's help, many businesses will face their final death blow and never recover.**

If experienced and dependable operators are forced to close due to delays or lengthy environmental reviews, history shows they are unlikely to return. The loss of these businesses would be catastrophic to Hawaii's economy and community resilience. HB 661 helps ensure that we don't unnecessarily lose valuable operators by allowing them to continue operations while reviews are conducted.

I urge you to vote in favor of HB 661 to protect our local businesses, preserve jobs, and support small entrepreneurs who are the backbone of our economy.

Thank you for your time and consideration.

Mahalo,
Philippe Le Blanc
(808) 344-5887

HB-661-HD-1

Submitted on: 2/26/2025 6:08:22 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
kevin flanigan	schooner creek boat works	Support	Written Testimony Only

Comments:

Please pass HB661. I own a boat building business in Portland Oregon. We build commercial catamarans for the Hawaii tourism business. Not only would the failure of HB661's passage cost Hawaii jobs and revenue, our business would be greatly affected. We employ 35 people in Portland Oregon. These jobs depend on the Hawaii tourism trade. Please consider the long ranging affects of this bill and pass HB661.

Thank You, Kevin B Flanigan

HB-661-HD-1

Submitted on: 2/26/2025 6:36:15 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Pascal Le Guilly	Schooner Creek Boat Works	Support	Written Testimony Only

Comments:

I am writing to express my concern regarding potential restrictions on ocean activities and boating in Ka'anapali. These activities are integral to the Maui experience and support numerous local businesses and employees.

The companies and employees involved in these industries are vital members of the community. Imposing restrictions could have disastrous economic consequences, particularly as Maui continues to recover from the devastating wildfires.

I urge you to consider the significant impact that such restrictions would have on the local economy and the livelihoods of the residents.

Thank you for your time and consideration.

Sincerely,

Pascal Le Guilly

General Manager, Schooner Creek Boat Works

"Aloha Chair and Members of the Committee,

I am submitting this testimony in strong support of HB661, HD1.

West Maui's small businesses, particularly those operating in Ka'anapali, are being unfairly caught up in a broader environmental issue—one that now threatens the livelihood of dozens of locally owned businesses and hundreds of West Maui families who rely on them. These businesses have long operated in full compliance with stringent regulations set by both the U.S. Coast Guard and the State of Hawai'i, ensuring safe and responsible ocean activities.

While protecting our environment is critical, we must also ensure that local businesses and working families are not collateral damage in the process. HB661 provides a commonsense solution—allowing businesses that are already compliant with existing laws and regulations to continue operating while environmental assessments are completed. This approach achieves two critical goals:

1. Safeguarding the environment through proper assessments and planning.
2. Protecting local jobs and families who have already suffered immense economic hardship following the devastating wildfires.

West Maui cannot afford to lose more businesses and jobs due to unnecessary bureaucratic delays. This bill strikes a fair balance between environmental stewardship and economic stability. I strongly urge you to pass HB661 to protect our local businesses, preserve West Maui families' livelihoods, and ensure that responsible operators can continue serving our community."

Thank you,

Dave Howard

HB-661-HD-1

Submitted on: 2/26/2025 8:14:56 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jeff Tateishi	Aqualani, Trilogy Excursions	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am submitting this testimony in strong support of HB661, HD1.

West Maui’s small businesses, particularly those operating in Ka’anapali, are being unfairly caught up in a broader environmental issue—one that now threatens the livelihood of dozens of locally owned businesses and hundreds of West Maui families who rely on them. These businesses have long operated in full compliance with stringent regulations set by both the U.S. Coast Guard and the State of Hawai‘i, ensuring safe and responsible ocean activities.

While protecting our environment is critical, we must also ensure that local businesses and working families are not collateral damage in the process. HB661 provides a commonsense solution—allowing businesses that are already compliant with existing laws and regulations to continue operating while environmental assessments are completed. This approach achieves two critical goals:

1. Safeguarding the environment through proper assessments and planning.
2. Protecting local jobs and families who have already suffered immense economic hardship following the devastating wildfires.

West Maui cannot afford to lose more businesses and jobs due to unnecessary bureaucratic delays. This bill strikes a fair balance between environmental stewardship and economic stability. I strongly urge you to pass HB661 to protect our local businesses, preserve West Maui families’ livelihoods, and ensure that responsible operators can continue serving our community.

HB-661-HD-1

Submitted on: 2/26/2025 8:54:51 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Diane Shepherd	Sierra Club, Maui Group	Oppose	Written Testimony Only

Comments:

Dear Legislators, I write in opposition to HB661 which would allow commercial entities to evade the environmental review. Given the degraded condition of the marine and terrestrial ecosystems in the main Hawaiian Islands, there is no good reason to weaken environmental protections. Please do not advance this proposed legislation.

aloha, Diane Shepherd, Sierra Club, Hawai'i Chapter, Maui Group

Testimony in Strong Support of HB661 HD1; if no user group is carved out!

Ron Tubbs B.S.N.D. UHM.

If HB 661 and SB 1074 are changed to exempt one user group and not apply to all Ocean user groups, the **courts will rule that this kind of change is unconstitutional.**

Please ensure HB661 and SB 1074 remain constitutionally sound. It is important to leave them to the court for invalidation after judicial review. Potentially, 19 billion in Hawaii's economy is at stake!

The Supreme Court established the doctrine of judicial review in the 1803 case Marbury v. Madison. **The Supreme Court uses judicial review to invalidate legislation** or executive actions that are in conflict with the Constitution.

Carving out of the law a sustainable user group and not any others is unconstitutional. **All science supports a low-impact sustainable aquarium fishery that has already passed HEPA EIS Act 343 laws a decision that was upheld by the State Supreme Court.**

Thanks for your consideration.

Ron Tubbs B.S.N.D. UHM

There are no upcoming hearings for this bill in which public testimony will be accepted.

If HB 661 and SB 1074 are changed to exempt one user group and not apply to all Ocean user groups, the courts will surely rule that is unconstitutional.

Please ensure HB661 and SB 1074 remain constitutionally sound. They are important to be left to the court for invalidation after judicial review. Potentially, 19 billion in Hawaii's economy is at stake!

The Supreme Court established the doctrine of judicial review in the 1803 case *Marbury v. Madison*. The Supreme Court uses judicial review to invalidate legislation or executive actions that it believes conflict with the Constitution.

The Unconstitutionality of shutting down a sustainable user group and not any others is why the fishery was never banned by the legislature previously. It is unconstitutional!

Conclusion

We think any changes to HB661 and SB 1074 to only apply to one user group could have enough constitutional equity prejudicial constitutional violations to be reviewed and invalidated by the Courts. It is in everyone's interest to pass a law that is based on sound science—does not place an undue burden on the State based on upholding scientific processes, not biased guesswork, or abused by lobbying pressure—and that is not vulnerable to constitutional attack.

Constitutional Legal Inequity of Act 343!

Lawyer review:

Applying Act 343 to only specific user groups violates constitutional access for all to public domain undersea landscape lands. Act 343 has been used to eliminate the user group; Hawai'i's near-shore aquarium fishery is not based on ecological science but solely based in user group conflict. It has harmed the livelihood of fishermen operating

on the Hawaiian Islands. It is our view that the bill is a significant overreach, has several constitutional deficiencies, and should be returned to the Legislature for correction.

Fundamentally, the moratorium is a hasty response to intense lobbying by outside biased environmental groups. It is not grounded in scientific consensus. The Hawaii Department of Land and Natural Resources (DLNR) DAR previously objected to Act 343 closure of any user group based on the lack of any scientific basis. As a result, it is not well thought out and has created many constitutional headaches for the State, and potential litigation risk, as explained below. In addition, fighting the improper use of Act 343 has cost the state millions in legal fees.

Protections for Native Hawaiians

The bill makes no carve-outs or provisions to protect native Hawaiians. Historically 10% of the fishery was Native Hawaiian fishers. The Hawai'i Constitution guarantees that the State will "protect all rights, customarily and traditionally exercised for subsistence, cultural and religious purposes and possessed by ahupua'a tenants who are descendants of native Hawaiians who inhabited the Hawaiian Islands prior to 1778" Hawai'i Const. Art. XII, § 7. Hawaiians have relied on the islands' near-shore fisheries for centuries, and this bill does not take into account the impacts that a moratorium may have on native Hawaiian livelihood, culture, and way of life.

Public Access to Fisheries

The bill also impermissibly restricts public fishing access. Under the Hawai'i Constitution, "[a]ll fisheries in the sea waters of the State . . . shall be free to the public, subject to . . . the right of the State to regulate the same" Hawai'i Const. Art. XI, § 6. The

moratorium would eliminate an entire fishery over time, completely denying public access. This goes far beyond mere “regulation” of fisheries and would therefore violate the Constitution.¹

Equal Protection and Due Process

Act 343 also raises significant concerns under the equal protection and due process clauses of the United States Constitution, which are designed to protect against exactly this kind of arbitrary, unsupported government action. Even assuming the Act 343 would be subject to only rational basis review (and setting aside for now the possibility that it would disproportionately impact native Hawaiians or other user groups unfairly), there appears to be no rational basis for the environmental reviews of already well-managed DLNR Ocean Permits. See, e.g., *Nehring v. Ariyoshi*, 443 F. Supp. 228, 239 (D. Haw. 1977) (concluding that there would be an equal protection violation under rational basis review where the State had not studied alleged environmental benefits and could produce no evidence to support their existence).

Dormant Commerce Clause

Act 343 also raises concerns under the Dormant Commerce Clause, which prohibits laws that unduly burden interstate commerce regarding Ocean Permits. The moratorium would severely disrupt the interstate aquarium trade supply chain. Act 343 has halted Hawaiian aquarium fish supply, industry would go to other countries for supply, some of which may tolerate environmentally destructive fishing practices like cyanide fishing. As such, the bill may violate the dormant commerce clause because it would burden interstate commerce in a manner that is clearly excessive in light of the purported (and highly dubious) environmental benefits. See *Hughes v. Oklahoma*, 441 U.S. 322, 337 (1979) (A state cannot “force those outside the State to bear the full costs of ‘conserving’ the wild animals within its borders”).

Public Trust Doctrine and Takings

Act 343 could also create legal complications related to the public trust doctrine (under which the State holds water bodies in trust for the people) and the takings clause (under which the State may not take property without just compensation). At this stage, it is not clear that the moratorium is consistent with Hawai'i's public trust obligations. Likewise, it is not clear to what extent compensation would be required for the “taking” of the right to transfer permits. Both of these issues could eventually cause significant hassles.

House Committee on Judiciary and Hawaiian Affairs
Hearing: February 27, 2025, at 2:00 PM
State Capitol Conference Room 225

Pō‘ai Wai Ola’s Testimony in STRONG OPPOSITION to HB 661, HD 1

Aloha e Chair Tarnas, Vice Chair Poepoe, and Committee Members,

Pō‘ai Wai Ola submits this testimony in strong opposition to HB 661, HD 1.

Pō‘ai Wai Ola is a community-based organization of residents in West Kaua‘i. Pō‘ai Wai Ola members are cultural practitioners, maha‘ai (farmers), and fresh water and reef lawai‘a (fishers). Our roots in the West Kaua‘i ahupua‘a span many generations. Our hui is dedicated to managing and conserving water resources for present and future generations and protecting the long-term sustainability and health of our watershed, from its mauka headwaters to makai nearshore marine areas.

Waimea River is the lifeblood of our community and supports a host of protected instream public trust uses—such as kalo cultivation and subsistence gathering. For generations, our community has watched as the Waimea River’s waters were diverted, first to feed plantations, and then by corporate farms who took over operation of the outdated and inefficient plantation-era water diversion infrastructure. For decades, tens of millions of gallons of water were diverted from the river every day, often causing large stretches of the river to run dry, cutting off the connection between the mountains and the sea. Throughout our lives, those with power and money have decided what to do with Waimea River’s precious water resources, which are supposed to belong to all of us. This is a power dynamic our community continues to combat as we seek to restore Waimea River flows to support public trust uses and restore dwindling populations of native streamlife that have been devastated by decades of wholesale water diversion.

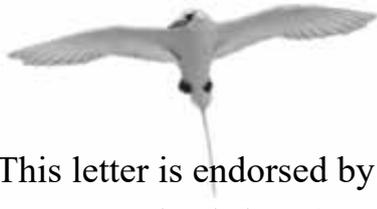
Through decades of advocating to restore Waimea River flows to protect our community’s resources and preserve our traditional and customary practices, our community has become far more aware of our rights, and we have remained vigilant to make sure those rights are respected. The Hawai‘i Environmental Policy Act, or HEPA, has been a necessary and valuable legal tool for our community to protect our resources, our practices, our livelihoods, and the health and well-being of our future generations.

This bill threatens one of the few legal tools rural communities like West Kaua‘i has to protect itself from corporate greed. HB 661, HD 1 would turn HEPA on its head, allowing destructive activities to continue for years on end without any prior look at the action’s environmental impacts, mitigation measures, and alternatives. This is moving us backwards, to where we were a century ago when corporate diverters were allowed to make wholesale diversions of valuable water resources without regard to the disastrous impacts it would have on our communities, our livelihoods, and our environment.

Pō'ai Wai Ola is deeply concerned about how this bill would give a blanket free pass to commercial users of our public trust land, water, and ocean resources, no matter what the harms. We strongly urge this committee to protect one of our bedrock environmental laws and uphold fundamental principles of pono environmental stewardship. **Please vote 'A'OLE to HB 661, HD 1.**

Mahalo for the opportunity to testify on this important bill.

John A'ana
Vice-President, Pō'ai Wai Ola



This letter is endorsed by:

Northwestern Hawaiian Islands hui, Pua Ali'i 'Ilima, Malu 'Aina, and renowned kūpuna (elders) and Kumu Hula (hula masters) including Dr. Pualani Kanahale Kanakaole, who named Papahānaumokuākea, Victoria Holt Takamine, winner of the prestigious 2024 Lillian Gish award, Grammy Award Nominee Kumu Hula Robert Uluwehi Cazimero, and fishers, scientists, current and former members of the Papahānaumokuākea Marine National Monument / NWHI Coral Reef Ecosystem Reserve Advisory Council

Opposition to HB 661 HD1

Aloha,

We, the undersigned, **strongly oppose HB 661 HD1**, which would amend the Hawai'i Environmental Policy Act (HEPA), to allow activities previously “undertaken by an applicant” to continue, while still pending environmental review, even if causing irreversible environmental or cultural damage and challenged under HEPA.

This bill would severely undermine core protections for Native Hawaiian rights and Hawai'i's foundational environmental law, potentially leading to substantial, irreversible environmental and cultural harm.

Stopping an activity from proceeding during HEPA review is a fundamental principle of the law and ensures that precious public and cultural resources are not destroyed before the public has input and “environmental concerns are given appropriate consideration in decision making.” (HRS. 343).

In addition, we have substantial concerns about the enormous loophole created for high impact extractive activities in marine areas, including in protected and nearshore areas.

The proposed amendment to HEPA states that the amendment “*shall not apply to activities involving construction, grading, dredging, or other structural modifications to land, waterways, or marine environments*” but would apply to a wide range of potentially permanently damaging commercial and “non-commercial” extractive activities in state waters for which there are already clear examples of irreparable damage. **We are deeply concerned about commercial fishing and other extractive activities as well as industrial levels of “non-commercial” extractive activities, including fishing, in state waters.**

Papahānaumokuākea

Over a hundred thousand people fought for the establishment of the strongest possible protections for the Northwestern Hawaiian Islands – leading to the creation of the Northwestern Hawaiian Islands (NWHI) State Refuge as well as for protections in federal waters, including the establishment of the NWHI Coral Reef Reserve in 2000 and the Papahānaumokuākea Monument in 2006.

The strong protections of the Reserve, State Refuge, and Monument were established as a result of public outrage over decades of the state's refusal to exercise jurisdiction and refusal to implement HEPA in the state waters of the NWHI. This allowed Wespac lobster fishers and poachers to destroy lobster populations in state waters contributing to the starvation of the nearly extinct Hawaiian monk seals. Past commercial fishing vessels slammed into reefs damaging corals and releasing thousands of gallons of fuel, hydraulic and motor oil, fishing gear and other contaminants into the NWHI marine environment. Lobster stocks have never recovered.

Allowing significant extractive activities – whether labelled commercial or “non-commercial” – in state waters in the absence of HEPA review has already led to permanent harm. Should protections in fragile Papahānaumokuākea be weakened in the future, this proposed enormous loophole could potentially be used to allow unchecked destruction of precious Papahānaumokuākea natural and cultural resources in state waters.

The proposed changes would allow environmental damage to continue unabated in state waters of the Main Hawaiian Islands while “waiting” - potentially for *decades* - for the completion of an environmental review.¹

Concerns about the negative impact on traditional cultural resources and practices

According to the Office of Hawaiian Affairs (OHA):

“HEPA is frequently a vehicle for OHA’s beneficiaries to ensure protection of their rights including the exercise of traditional and customary practices. As just one example, the commercial aquarium trade had never been subject to environmental review prior to a 2017 ruling from the Hawai‘i Supreme Court, and was subsequently enjoined in certain areas pending HEPA compliance. Traditional Native Hawaiian fishers and cultural practitioners were among the plaintiffs in that landmark ruling to ensure careful consideration of how this extractive commercial enterprise affects others who depend on the same resources for subsistence and cultural practices. This is simply one example of many illustrating the importance of this law to the individuals and communities that OHA represents. However, if the amendment proposed ...had been in place in 2017, unchecked commercial extraction would have continued pending environmental review.”

Negating HEPA’s fundamental purpose, undoing decades of environmental protection, intervening on behalf of specific parties in pending litigation which is headed towards resolution

This amendment of HEPA is being proposed in response to the claim that recent court decisions “have broadened the definition of an environmental ‘action.’” This is untrue.

According to Earthjustice:

“If anything, the courts and the 2019 HEPA rules have narrowed the definition of “action...” HEPA already expressly provides that agencies may exempt from environmental review “specific types of actions, because they will probably have minimal or no significant effects on the environment.” Haw. Rev. Stat. § 343-6(a)(2).

This provision has been in place and available to state agencies for decades. Agency inaction in processing appropriate exemptions is no reason to undercut HEPA’s core requirements and fundamentally alter the landscape of environmental protection in Hawai‘i Nei.”

“Exempting ongoing permitted activities under HEPA would mean that, in instances where such activities are in fact causing environmental damage, they would be allowed to continue unabated, even if environmental review is required or completed...It threatens to undo decades of environmental progress in Hawai‘i, and it is entirely unnecessary to achieve its stated goals.”

¹ For example, “the dewatering of East Maui’s streams continued, uninterrupted, for nearly 20 years after an environmental review for long-term diversions was ordered by the circuit court – a practice that has most recently been confirmed as illegal by the Hawai‘i Supreme Court. ... With the after-the-fact environmental reviews implicitly authorized by this measure, well-meaning decisionmakers will be inevitably pressured by political and monied special interests to disregard their environmental review obligations in favor of expedited approvals – with no meaningful remedy for the unaccounted-for harms inflicted, as legal challenges to unlawfully approved actions drag on for years, or even decades.” Sierra Club, testimony on HB 661, January 11, 2025

The proposed amendment “would negate HEPA’s fundamental purpose for a broad subset of permitted activities, allowing irreparable environmental harm.”

“It is by now common knowledge that this and other similar bills this session are purportedly targeted at a specific circumstance on Maui involving commercial tour boat operators in Ka’anapali. Again, we understand that the case is headed toward a resolution that would allow tour operations to continue, with conditions that address the West Maui community’s concerns including ocean safety. In other words, HEPA appears to be fulfilling its purpose in that case.”

“In the boating context underlying this and similar bills this session, we understand that the parties are in the process of working out a settlement that would allow operations to continue. The legislature should respect the court process and not intervene on behalf of specific parties or interests in pending litigation.”

For the reasons listed above, we, the undersigned, oppose - and urge you to oppose - SB 1074 SD1 and HB 661 HD1.

Mahalo nui loa,

Northwestern Hawaiian Islands hui members:

Isaac "Paka" Harp, fisherman

Former NWHI Reserve Advisory Council Vice-Chair
Former Chair of the NWHI Reserve Enforcement Working Group
Papahānaumokuākea Cultural Working Group,
Founding member

Victoria Holt Takamine, Kumu Hula

Executive Director, PA'I Foundation
2024 Lillian Gish Award recipient
Papahānaumokuākea Cultural Working Group member

Stephanie Fried, Ph.D.

Former Reserve Advisory Council Alternate Member
Senior Scientist, Environmental Defense Fund, 1995-2009

Dave Raney

Former NWHI Reserve Advisory Council Secretary
Former U.S. Coral Reef Task Force Member
Former Chair, Sierra Club Coral Reef Subcommittee

Cha Smith, Founder

KAHEA: The Hawaiian Environmental Alliance

On behalf of:

Dr. Pualani Kanaka'ole Kanahale

Kumu Hula who named Papahānaumokuākea Cultural Working Group member

Kumu Hula Robert Uluwehi Cazimero

Grammy Nominee
Hālau Nā Kamalei

Kumu Hula Michael Pili Pang

Hālau Hula Ka No‘eau

Kumu Hinaleimoana Wong-Kalu

Kumu Hula Tehani Gonzado

Kumu Hula Lahela Ka‘aihue

Kuhio Lewis

CEO, Council for Native Hawaiian Advancement

Nā Kumu Hula Sonny Ching &

Lopaka Igarta-De Vera

Hālau Nā Mamo o Pu‘uanahulu

Nā Kumu Hula Vicky and Jeff Kānekaiwilani Takamine

Pua Ali‘i ‘Ilima

Kumu Hula Mehanaokalā Hind

Hālau Nā Pua Mae‘ole o Ka Wai Ola

Nā Kumu Hula Lono Padilla and Keano Kapu

Hālau Hi‘iaka I Nā Makalehua

Kumu Hula Kuana Torres Kahele
Hālau Māluaki‘iwailehua

James V. Albertini
President, Malu ‘Aina Center for Non-violent
Education And Action

The Keawekane-Stafford ‘Ohana
Kainoa, Camille, Kealaula, Kainoaokana’iaupuni,
Kili’apuokuakini

Judith Cucco

Kapi'olani Spencer of Moku O Keawe

Roger M. Kanealii, Jr
Diane "Maka'ala" Kanealii

Carol Wilcox
Former member, Papahanaumokuakea Advisory
Council

Tammy, Jacob, and Cherish Harp

James Kastner
Nature photographer

Claudia Quintanilla

**Testimony in STRONG OPPOSITION to HB 661, HD 1
Relating to Environmental Impact Statements**

**House Committee on Judiciary and Hawaiian Affairs
Hearing: February 27, 2025, at 2:00 PM
State Capitol Conference Room 225**

Aloha e Chair Tarnas, Vice Chair Poepoe, and Members of the House Committee on Judiciary and Hawaiian Affairs,

Nā Kiaʻi Kai submits this testimony in **strong opposition to HB 661, HD 1**. We urge this committee to reject this bill.

Nā Kiaʻi Kai is a community-based organization established by West Kauaʻi residents, including Native Hawaiian fishers and cultural practitioners, to protect West Kauaʻi's river and coastal waters, humans, and aquatic life from pollution. For decades, Nā Kiaʻi Kai has advocated on behalf of our community against a multitude of environmental harms.

For more than a century, West Kauaʻi has borne the brunt of the island's environmental and cultural injustices. Beginning in the late 1800s, sugar plantations filled and channelized the Mānā Plain—once home to a thriving network of wetlands and freshwater springs—to artificially create dry land suitable for sugar cultivation. For over a century, these sugar plantations dammed and completely drained the Waimea River and its tributaries to irrigate its crops. This water pumping and water diversion infrastructure is still in operation today and has all but destroyed the complex stream, wetland, and reef ecosystems along West Kauaʻi from mauka to makai.

After the last sugar plantation closed in 2000, it did little to clean up and remediate the land it had once occupied, leaving the soil and water contaminated with long-lasting pesticides. With the end of the plantation era, the biotech industry saw an opening to seize agricultural lands on the Mānā Plain and quickly transformed West Kauaʻi into ground zero for agrochemical “GMO” operations. Rampant pesticide use on the west side came to a head in 2006 and 2008, when students and staff at Waimea Canyon Middle School were taken to the hospital suffering symptoms of pesticide exposure.

West Kauaʻi also hosts numerous industrial uses, including a gravel and asphalt plant, a county wastewater treatment plant, a sand and rock mining operation, and a U.S. Navy base that occupies a vast stretch of coastline. Agricultural and industrial runoff is discharged along the West Kauaʻi coastline and has devastated our once-thriving reef ecosystems and traditional fishing grounds. West Kauaʻi is also home to the island's only landfill.

Through decades of advocacy, our community has become far more aware of our rights and the legal tools we have to protect our resources, our livelihoods, and the health and

well-being of our future generations. HEPA has been and continues to be a valuable legal tool for our community by ensuring government decision-makers consider the environmental and cultural impacts of activities before they occur. This bill would allow decision-makers to bypass consideration of environmental harms and give a free pass to industries to continue destructive environmental practices without first complying with the law. Our communities have successfully taken agencies like DLNR to court to demand accountability. This bill would eliminate this hard-fought progress and send us back to the days when corporate interests trumped pono stewardship of our lands and resources.

Nā Kia'i Kai strongly urges this Committee to protect the integrity of one of the most valuable legal tools we have to protect our community by voting **NO to HB 661, HD 1.**

Mahalo for the opportunity to testify,

Kawai Warren
President, Nā Kia'i Kai

HB-661-HD-1

Submitted on: 2/26/2025 9:36:30 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dean Sensui	Hawaii Goes Fishing	Support	Written Testimony Only

Comments:

I'm am in support of HB661.

It should be noted that all regulations regarding fishing and fisheries should go through a careful assessment process that ensures the sustained use of natural resources.

However, requiring extensive environmental impact studies in addition to those assessments would place an unnecessary and unfair burden on those who have a constitutional right of access to those public resources.

There are already regulations in place that specifically protect Hawaii's environment. It doesn't make sense to bring many established practices to a sudden halt if they already have a long history of doing no significant harm to our state's marine habitats.

Thank you for your consideration.
Dean Sensui, executive producer.
Hawai'i Goes Fishing



KO`OLAUPOKO HAWAIIAN CIVIC CLUB

House Committee on Judiciary and Hawaiian Affairs
February 27, 2025, at 2:00 PM, State Capitol Conference Room 225

Testimony in **STRONG OPPOSITION** to **HB 661, HD1** **Relating to Environmental Impact Statements**

Aloha Chair Tarnas, Vice Chair Poepoe, and Honorable Committee Members,

The Ko'olaupoko Hawaiian Civic Club (KPHCC) submits this testimony in strong opposition to HB 661, HD1. KPHCC is a not-for-profit community organization established in 1937 by a group of kama'āina residents in the Ko'olaupoko area. Our membership exceeds 100 adult and 'ōpio members including cultural practitioners, community leaders, lawai'a, and descendants of konohiki families with roots in the Ko'olaupoko community dating back to time immemorial. KPHCC's primary mission is to perpetuate and cultivate Native Hawaiian culture and values, including lawai'a pono, mālama 'āina, 'āina momona, and aloha 'āina. KPHCC furthers its mission through advocacy, volunteerism, community engagement, and education.

Ending commercial aquarium collection in Ko'olaupoko (which includes Kāne'ōhe Bay, a collection hot-spot), has been a club priority for decades. Our club mission and lifeways depend upon Hawai'i's coral reef ecosystems, which provide recreational, cultural, educational, subsistence, and other social benefits, as well as ecological and structural protections against the effects of climate change. For many years, the KPHCC and its members have actively engaged in legislative and administrative efforts to prohibit commercial aquarium collection statewide.

Thanks to the Hawai'i Environmental Policy Act ("HEPA") and recent court rulings, our reefs have finally gotten a break from unlimited aquarium extraction while the collectors and the Department of Land and Natural Resources ("DLNR") take a hard look at environmental and cultural impacts, mitigation measures, and alternatives through the public environmental review process, a process in which our club has been actively engaged. HEPA has allowed our community to demand accountability by DLNR for our public trust resources.

HB 661, HD 1 would undo decades of public education and advocacy efforts to ensure informed agency decision-making *before* handing the global pet market a free pass to extract millions of fish and invertebrates from Hawai'i's reefs. HB 661, HD 1 would turn HEPA review into an afterthought—a meaningless formality to rationalize or justify decisions already made. Please do not hand agencies like DLNR a blank check to rubberstamp environmentally harmful activities like commercial aquarium collection without any prior look at the action's environmental impacts.

The Ko'olaupoko Hawaiian Civic Club was established in 1937 and is one of the largest in the Association of Hawaiian Civic Clubs nationwide. Ko'olaupoko HCC is a not-for-profit community organization dedicated to preserving and perpetuating the history, heritage and culture of Native Hawaiians and providing leadership and scholarships. Its membership is open to people of Hawaiian ancestry and those who are "Hawaiian at heart."



KO'OLAUPOKO HAWAIIAN CIVIC CLUB

Page 2

HEPA is the cornerstone of Hawai'i's statutory environmental protections. The KPHCC strongly urges your Committee to uphold the integrity of HEPA and **vote 'A'OLE to HB 661, HD 1.**

Me ke aloha 'āina,

Charles Na'umu Pelekikena (President)
Ko'olaupoko Hawaiian Civic Club

The Ko'olaupoko Hawaiian Civic Club was established in 1937 and is one of the largest in the Association of Hawaiian Civic Clubs nationwide. Ko'olaupoko HCC is a not-for-profit community organization dedicated to preserving and perpetuating the history, heritage and culture of Native Hawaiians and providing leadership and scholarships. Its membership is open to people of Hawaiian ancestry and those who are "Hawaiian at heart."



Hawai'i State Capitol
415 S Beretania Street
Honolulu, HI 96813

RE: HB661 HD1

February 26, 2025

Aloha Chair Tarnas, Vice Chair Poepoe, and members of the Committee on Judiciary & Hawaiian Affairs,

My name is Jonnetta Peters and I am the Executive Director of Conservation Council for Hawai'i (CCH). **CCH strongly opposes HB661 HD1**, which would allow the continuation of illegally authorized activities with the consideration of their environmental, cultural, and social impacts to our islands and our present and future generations.

Environmental review law works to fully inform the decision-makers of potential long-term impacts to the public interest from proposed activities before those activities are allowed to proceed. This ensures thoughtful planning, conflict reduction, minimizing adverse outcomes, and safeguarding the health and well-being of our people.

This bill would do the opposite, allowing activities that have previously been occurring without environmental review to continue while the environmental review is pending. Rushing this process defeats its entire purpose. As we have seen in cases such as East Maui, where stream diversions by a politically connected plantation were allowed to continue for nearly 20 years after the environmental assessment had been ordered, years' or decades' worth of devastating yet potentially avoidable impacts could occur without the benefit of environmental review, should this measure be passed into law.

By allowing illegally authorized activities to continue before the environmental review is complete – something that has taken literal decades in the dewatering of East Maui's streams – this bill would turn our environmental review process into an afterthought. We need to uphold the process.

CCH urges you to HOLD HB661 HD1.

Sincerely,

Jonnetta Peters
Executive Director

Telephone/Fax: 224.338-6511 | email: info@conservehi.org

web: www.conservehawaii.org | P.O. Box 2923, Honolulu, HI 96802

President: Colleen Heyer | **Vice President:** Bret Nainoa Mossman | **Secretary:** Makaala Kaaumoana

Treasurer: Mashuri Waite, PhD |

Directors: Puanani Anderson-Fung, Steven Lee Montgomery, PhD, Emily Sarasa, Les Welsh, Sunshine Woodford |

Executive Director: Jonnetta "Jonee" Peters **Operations and Events Manager:** Leah Kocher

National Wildlife Federation Region 12 Director: Rachel Sprague

National Wildlife Federation Pacific Region Associate Director: Emily Martin

Kō Hawai'i leo no nā holoholona lōhiu – Hawai'i's voice for wildlife | State Affiliate of the National Wildlife Federation



TESTIMONY HB661

TESTIMONY IN FULL SUPPORT of HB661 – Environmental Review

February 26, 2025

Strongly Support HB661

Aloha Chairs Tarnas and Vice Chair Poepoe and committee members,

Please support HB661 for ocean tour boats. This bill is essential for ensuring that our ocean tourism businesses in Kaanapali can continue our operations while undergoing environmental review. Without this bill, our longstanding, regulated operations face the risk of being shut down for years—even when we have complied with all permitting requirements.

HB661 has been under opposition by those seeing this as a threat to HEPA, aka: Umberger Ruling regarding aquarium fishing. **In no way is this Bill meant to undermine the Umberger Ruling. It's intention is to prevent the non-consumptive tour boats off of Ka'anapali beach to be forced out of business during the long environmental review process.**

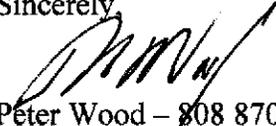
The Kaanapali catamarans allow residents and visitors to experience Hawaii's marine environment, supporting conservation efforts through education and sustainable tourism practices. If this same very vocal anti-tourism minority group that is suing the Ka'anapali and Mala permits (**and they are the same people**) get our businesses shut down without one piece of proof offered up, the rest of the state may find themselves in the same position. If the closures of safe, professional small business operators is not stopped at Kaanapali, it will set a precedent for every harbor, beach, park and special management area, etc. in the State of Hawaii.

This bill strikes a fair balance between protecting our natural resources through 343 and supporting the small ocean tour businesses that have operated responsibly under state oversight for decades, my company has operated two tour companies at Kaanapali since 1994.

Please pass HB661 to protect our local ocean tourism industry, the jobs it supports, and the families who depend on it. If HB661 is not passed, three generations of my family, as well as our employees and their dependents might be forced to move off Island to find work. Countless other vendors who serve our businesses will also be negatively impacted. We are still recovering from Covid and the Lahaina Fires in 2023. We need pragmatic sensible help from our legislators now more than ever. Does it not make sense to rebuild a strong economy by using proven business models that the tourists have come to love, look forward to, and drive their decision-making process to re-visit Maui year after year as their first choice? Imagine occupancy levels of less than 50% at the hotels and short-term rentals across the boards. This is surely what will happen if HB661 does not pass.

Mahalo for your time and consideration.

Sincerely,



Peter Wood – 808 870-3672
Sailing Maui Inc.

HB-661-HD-1

Submitted on: 2/26/2025 10:12:57 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James Rodrigues	Rodrigues Ohana	Oppose	Written Testimony Only

Comments:

We strongly oppose any and ALL marine reef harvesting of Hawaiian species. STOP this practice will allow our nearshore reefs to revitalize.

HB-661-HD-1

Submitted on: 2/26/2025 10:55:27 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John Kaneko	Hawaii Seafood Council	Support	Written Testimony Only

Comments:

I strongly support this bill which is aligned with the effective management of sustainable fisheries in Hawaii.

HB-661-HD-1

Submitted on: 2/26/2025 11:11:42 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mike Marcol	Exclusive Limo Maui	Support	Written Testimony Only

Comments:

If the boat and water activities are not permitted to operate in Kaanapoali it would cause a tragic destruction of local business and would cause a massive economic collapse in Maui. It would cause hundreds if not thousands of job loses and would devastate the local community. It would have reprecussions island wide. Maui is directly and inderectly 99% reliant on tourist economy even businesses that do not directly serve tourists benefit from the trickle down effect of the tourist economy. This resolution much be passed to protect our local community.

HB-661-HD-1

Submitted on: 2/26/2025 11:17:56 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tony Coscia	Captain Andy's Sailing Inc	Support	Written Testimony Only

Comments:

Aloha Chairs, Vice Chairs, and Members of the Committees

My name is Tony Coscia, and I have the privilege of serving as Captain and Operations Manager at Captain Andy’s Sailing Adventures. I think often about the future—what kind of island, economy, and environment we’ll pass down to the next generation.

On Kauai, we’ve always prioritized protecting the natural beauty and marine life that make the Nā Pali Coast so special. We operate with strict environmental standards and a deep respect for the resources we depend on. While we’ve been fortunate to avoid delays ourselves, we’ve watched businesses on other islands face uncertainty and setbacks due to shifting environmental review processes. I worry that one day, it could affect us all.

H.B. 661 is about common sense and balance. It ensures that businesses already in compliance can continue operating while environmental reviews are underway. It does not weaken environmental protections—it simply helps avoid unnecessary disruptions that could impact local jobs, families, and the broader economy.

Supporting H.B. 661 is a step toward a future where we protect both our natural resources and the livelihoods of the people who call this place home.

Mahalo for your time and consideration,
Tony Coscia
Operations Manager, Captain Andy’s Sailing Adventures

HB-661-HD-1

Submitted on: 2/26/2025 11:38:11 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kawika Winter	Heʻeia National Estuarine Research Reserve	Oppose	Written Testimony Only

Comments:

This is a bad bill. It will have enormous negative consequences for our natural and cultural resource. Please do not pass this bill out of your committee.

Mahalo for your consideration

Kawika Winter, Ph.D.

Director, Heʻeia National Estuarine Research Reserve



Testimony Before The
House Committee on Judiciary & Hawaiian Affairs (JHA)
IN OPPOSITION TO HB661 HD1
February 27, 2025, 2:00 p.m., Room 016 & Via Videoconference

We are Olan Leimomi Fisher and Kevin Chang, Kua'āina Advocate and Executive Director, 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) over 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.**

We strongly oppose HB661 HD1, as a dangerous threat to achieving 'āina momona.

This measure would allow a previously authorized commercial activity challenged as being subject to environmental review to continue while an environmental assessment or environmental impact statement is conducted, to determine whether the activity is exempt. This bill stands plainly against the whole purpose of our well-established environmental review laws to prevent harmful and irreversible damage to our fragile ecosystems before they occur, and would allow potentially unsustainable and destructive activities to *continue* without considering the environmental impacts, mitigation measures, or alternatives. **HB661 HD1 also threatens the health of our nearshore ecosystems, Native Hawaiian cultural and traditional rights, and community stewardship practices, while undermining the necessary public participation and transparency provided through our established environmental review laws.** It would create *more* stress and *more* work for DLNR and communities, not less, and for the benefit of only a small vocal minority of commercial aquarium operators.

The communities in our KUA networks, including Native Hawaiians and kama'āina alike, depend on the health and balance of our nearshore ecosystems in order to continue their traditional and customary practices and to mālama their 'āina. HB661 HD1's existential undermining of HEPA

would make way for far-reaching negative effects on our already suffering i'a (sea life) that do not justify the supposed need to appease the well-documented (and litigated) exploitation by a small handful of aquarium fishing operators. **HEPA serves to ensure public awareness and participation from as many stakeholders as possible, including Native Hawaiian traditional and customary practitioners protected under our Hawai'i State Constitution.** HEPA also provides stability for public participation with the constant changes in DLNR leadership and staff.

As the recent Umberger and Kaupiko Supreme Court decisions made clear, DLNR severely lacks capacity to provide proper management and protection of our nearshore resources and Native Hawaiian rights involving aquarium fishing permits alone. Undermining HEPA is *not* the answer, especially with increasing threats (invasive species, pollution, overtourism, natural disasters, etc.) to the fragile biocultural resources that we ALL depend on to live and thrive here in Hawai'i. **This measure will only lead to more lawsuits, more contested cases, and more community distrust and division.**

HB661 HD1 works directly against achieving 'āina momona to ensure healthy and thriving biocultural resources for generations to come.

Mahalo for considering our testimony in strong opposition. Please **hold** HB661 HD1.

Aloha 'Āina Momona no nā kau ā kau.



Native Hawaiian LEGAL CORPORATION

1164 Bishop Street, Suite 1205 • Honolulu, Hawai'i 96813
Phone (808) 521-2302 • www.nativehawaiianlegalcorp.org



HB661 HD1

RELATING TO ENVIRONMENTAL REVIEW

HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

February 27, 2025

2:00 p.m.

Room 325 & Videoconference

Aloha e Chair Tarnas, Vice-Chair Poepoe, and committee members:

The Native Hawaiian Legal Corporation **opposes HB661 HD1**, which subverts the fundamental purpose of the Hawai'i Environmental Policy Act ("HEPA"), Hawai'i Revised Statutes ("HRS") chapter 343, by proposing to allow ongoing or recurring permitted activities to continue even while undergoing environmental review.

HEPA was enacted over 50 years ago to protect the state's natural resources, held in trust for the people of Hawai'i, by "ensur[ing] that environmental concerns are given appropriate consideration in decision making." In so doing, the legislature declared that "the process of reviewing environmental effects is desirable because environmental consciousness is enhanced, cooperation and coordination are encouraged, and public participation during the review process benefits all parties involved and society as a whole." See HRS § 343-1. Since that time, this statute has been an important vehicle for communities across the pae 'āina – including Native Hawaiian cultural practitioners with place-based knowledge and traditional practices – to come to the table as part of the formal process to assess environmental impacts of proposed actions and provide agencies with the most comprehensive information to guide its decisionmaking and mitigate impacts **before** any action takes place.

HB661 HD1 does the opposite. By allowing permitted activities to continue while undergoing environmental review, HEPA is turned on its head, rendering the legal requirements of environmental review an afterthought rather than a planning tool to guide agency decision-making.

We have already witnessed the effects of unchecked authorizations without environmental review. For well over a century, commercial entities have historically dewatered streams in East Maui to support commercial operations dozens of miles away, severely impacting Native Hawaiian communities and their traditional farming, fishing, and gathering practices as well as the watershed that supports the moku's forests and estuaries. Under the authority of ongoing but "temporary" annual revocable permits, the state freely allowed the diversion of streams nearly two decades after (1) the community pushed for environmental review and (2) an environmental assessment was ordered by the circuit court. The diversions dried up streams, devastated lo'i kalo, destroyed the habitat that native species needed to thrive, and damaged the community's cultural heritage. And it was for that reason the Hawai'i Supreme Court held that HEPA applied to these continuing activities: "[G]iven the significant environmental impact of the permitted action, [the Board of Land and Natural Resources'] authority to issue revocable permits is subject to the environmental review requirements of HEPA." *Carmichael v. Bd. of Land and Nat. Res.*, 150 Hawai'i 547, 552, 506 P.3d 233 (2022).

Indeed, turning a blind eye to the impacts of a "previously authorized or permitted activity" contradicts the intent and purpose of HEPA. HB661 HD1 would allow for the rubberstamping of potentially devastating projects and programs, the perpetuation of harmful agency practices, and the authorization of actions that could harm our environment, culture, and community. Addressing compliance (or lack thereof) with environmental review could take years – years of potentially irreparable impacts that may never be able to be properly mitigated. "Disrupting" ongoing commercial activities should be the least of our state's concerns where our public trust resources are at stake.

Additionally, the preamble's statement that "recent court decisions have broadened the definition of 'action'" – inaccurately represents the law. HRS § 343-2 currently defines "action" as "any program or project to be initiated by an agency or applicant." In looking at the range of activities to which HEPA has been applied, the Hawai'i Supreme Court in *Umberger* actually narrowed and clarified the broader statutory definition, relying on "a generally accepted dictionary" for the plain meaning of the words "program" and "project". See *Umberger v. Dep't of Land & Natural Res.*, 140 Hawai'i 500,

513, 403 P.3d 277, 290 (2017); *see also* Hawai'i Administrative Rules § 11-200-1.2 (further defining "program" and "project").

In any case, HEPA already exempts from environmental review "specific types of actions because they will probably have minimal or no significant effects on the environment." HRS § 343-6(a)(2). Commercial operations engaged in activities with no impact on our resources can rely on this provision – as they have always been able to do. But excusing from HEPA mandates those continuing operations that could negatively impact the environment is irresponsible and inconsistent with the state's kuleana as trustee of our public trust resources.

For these reasons, NHLC opposes HB661 HD1 and requests that it be held. Mahalo for the opportunity to testify.

A handwritten signature in black ink, appearing to be 'S' followed by a flourish.

Ashley K. Obrey
Senior Staff Attorney
Native Hawaiian Legal Corporation



February 27, 2025

House Committee on Judiciary & Hawaiian Affairs

RE: STRONG OPPOSITION HB661; Relating to Environmental Review

Dear Chair Tarnas, Vice-Chair Poepoe and Committee Members,

For the Fishes, a Maui-based nonprofit organization dedicated to protecting Hawaii's coral reef wildlife **strongly opposes HB661** which would allow previously permitted actions and activities to CONTINUE while an agency, individual or business conducts an environmental analysis.

As proposed, this bill would completely gut our landmark Hawaii Environmental Policy Act (HEPA) that the legislature adopted to ensure actions/activities, especially those that may cause irreparable harm to our marine and terrestrial environments, are appropriately analyzed, given natural resources are held in the public trust for all the peoples of Hawaii, and constitutionally protect against those activities that may impact native Hawaiian cultural practices.

While the original intent of this bill may have been to allow non-extractive activities to continue while a state agency such as DLNR conducts a routine assessment to determine if the activity qualifies for exemption, as written, the bill would have far-reaching implications. In addition, there is no time limit for the preparation of an environmental analysis, so a destructive practice could essentially continue for years, or even decades, if/while an individual or business prepares an environmental assessment.

State agencies routinely review and prepare environmental exemption assessments (i.e. state and county exemption lists are published monthly in the Environmental Notice). We agree that agencies should prepare them promptly, however, blanketly exempting existing permitted activities from HEPA is not the way to address DLNR or other state or county agency dereliction.

Further, exempting existing activities from potential environmental review completely removes the public and the impacted communities from the process, whereby agencies or applicants would not be required to solicit public opinion or hold public hearings to receive feedback from the impacted communities as is required under HEPA.

We urge the Committee to defer this bill in its entirety.



House Committee on Judiciary and Hawaiian Affairs
February 27, 2025, at 2:00 PM, State Capitol Conference Room 225

Kūmano I Ke Ala’s Testimony in STRONG OPPOSITION to HB 661, HD 1

Aloha e Chair Tarnas, Vice Chair Poepoe, and Committee Members,

Kūmano I Ke Ala submits this testimony in **strong opposition to HB 661, HD 1**. Kūmano I Ke Ala (“KIKA”) is a 501(c)(3) non-profit community-based organization with the mission of empowering West Kaua’i through native land rehabilitation, food system revitalization, workforce training and youth development. Our work is centered around purveying Hawaiian culture, designing restored agricultural spaces, engaging the next generation of cultural practitioners and increasing commercial production of kalo locally to secure long term community access to affordable native Hawaiian staple foods.

Since 2015, KIKA has come to steward over 50 acres of indigenous agricultural land in West Kaua’i, revitalizing traditional Hawaiian practices like mahi’ai kalo (kalo farming) to promote food sovereignty and sustainability. Through hands-on stewardship, KIKA engages thousands of residents, especially youth, fostering a deep connection to ‘āina while creating green jobs, preserving culture, educating future generations and improving access to kalo and other native Hawaiian food staples. In 2024, KIKA processed and sold 70,000 pounds of kalo to support local farmers and increase Hawai’i’s food sovereignty, collaborated with volunteers for a total of 8,800 volunteer hours at site visits and community workdays, and directly engaged 5,000 Hawai’i youth with cultural educational experiences. The work we do at KIKA depends on pono environmental stewardship of ‘āina, consistent access to wai, and the continued ability to preserve and protect our cultural sites and practices.

By significantly gutting HEPA, HB 661, HD 1 threatens our community’s continued ability to protect our public trust land, water, and ocean resources from environmentally destructive activities and to demand accountability from government decision-makers. HEPA’s core purpose is to ensure that government decision-makers are fulfilling their kuleana (responsibility) to consider the environmental and cultural impacts of activities, as well as mitigation measures and alternatives, *before* an activity is permitted to occur. HB 661, HD 1 would turn HEPA on its head and allow state agencies to rubberstamp permits for environmentally destructive activities without prior consideration of impacts until such time as the agency finally gets around to looking at the impacts to ‘āina and kānaka. This is not what HEPA was intended to do.

Kūmano I Ke Ala strongly urges your Committee to uphold the integrity and purpose of HEPA and **VOTE ‘A’OLE on HB 661, HD1.**

Me ke aloha ‘āina,
Kaina Makua, President, Kūmano I Ke Ala



**TESTIMONY OF THE OCEAN TOURISM COALITION IN SUPPORT OF
HB661 HD1 WITH AMENDMENTS.**

The Ocean Tourism Coalition (OTC) appreciates the opportunity to provide testimony in support of HB661 HD1 with amendments. OTC represents ocean tourism operators across the state, many of whom have been severely impacted by the 2023 Lahaina Fire. We support a framework that allows currently permitted boat operators in Kaanapali to continue operating while environmental review is completed.

However, we have concerns that the broad language of the current bill could create unintended consequences that may prevent it from ultimately helping those on Maui that are currently under threat of being shut down. As written, the measure could be interpreted to allow a wide range of activities far beyond the scope of what we believe the bill intends to address.

OTC believes the bill should be narrowly tailored to ensure that it provides relief to operators who depend on ORMA permits at Kaanapali. Given the unique challenges facing ocean tour operators in this area, we respectfully suggest limiting the bill's application to commercial use permits in Kaanapali waters and would not oppose a sunset date.

By refining the bill's scope, the Legislature can ensure that it provides relief to tour operators currently under threat of losing their livelihood. Kaanapali operators are committed to environmental stewardship and willing to undergo the review process, but shutting them down would impose undue hardship on those just starting to rebuild their lives.

Mahalo for the opportunity to testify, and we appreciate your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Denver S. Coon', written over a horizontal line.

Denver S. Coon
President, Ocean Tourism Coalition



COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. David A. Tarnas, Chair
Rep. Mahina Poepoe, Vice Chair

Testimony for HB661 HD1

Subject: Testimony in **Strong Support of HB661 HD1** – Relating to Environmental Review

Aloha Chair Rep Tarnas, and Vice Chair Rep Poepoe, and Members of the Committee,

I am Mendy Dant, President of Fair Wind Cruises and Kona Sunrise Charters, family-owned snorkel businesses in Kona since 1971, and I strongly support HB661 HD1.

This bill is not meant to undermine the Umberger Ruling. It's intention is to prevent the shutdown of non-consumptive tour boats off of Ka'anapali beach, putting them out of business.

If not stopped, what is happening in Ka'anapali will set a precedent for every harbor, beach, park, special management area, etc. in the state. This will affect hundreds, if not thousands, of permit holders, putting them in jeopardy of being shut down due to the application of Chapter 343. Many of our ocean tourism businesses are local family businesses that take great pride in being good stewards of the wahi pana's we have the privilege to work in. Please protect those of us who have been lawfully operating for decades under administrative rules but could be forced to close unless the legislature takes immediate action.

HB661 ensures that previously authorized and permitted activities or operations continue operation while the EA or EIS review process is complete. Hawaii's ocean tourism operators employ thousands of Hawaii residents, this bill will keep families fed and with a roof over their heads. This is important to so many individuals, families, and businesses. Please VOTE yes to support this bill.

Mahalo for considering this testimony.

Sincerely,
Mendy Dant
President
Fair Wind Cruises
Kona Sunrise Charters
Keauhou Bay, Kona, Hawaii



MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

HEARING BEFORE THE HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS
HAWAII STATE CAPITOL, HOUSE CONFERENCE ROOM 325
Thursday, February 27, 2025 AT 2:00 P.M.

To The Honorable David A. Tarnas, Chair
The Honorable Mahina Poepoe, Vice Chair
Members of the Committee on Judiciary & Hawaiian Affairs

SUPPORT HB661 HD1 RELATING TO ENVIRONMENTAL REVIEW

The Maui Chamber of Commerce **SUPPORTS HB661 HD1**, which permits, except in certain circumstances, a previously authorized activity challenged as being subject to environmental review to continue while the applicable agency conducts an environmental assessment, prepares an environmental impact statement, or determines whether the activity is exempt.

The Chamber emphasizes that these permitted activities have been conducted for decades without incident. Our collaboration with commercial ocean recreation permittees has shown that they often exceed environmental protection standards, ensure guest safety, and comply with regulations. Many permit holders are exemplary stewards of the environment, educating both residents and visitors on how to safeguard the ocean and marine life.

While exemptions may not always be feasible under state law, we appreciate that this bill allows the department to issue temporary permits and expedite the environmental assessment process. This approach provides a solution that balances environmental protection with the economic well-being of our community.

For these reasons we **SUPPORT HB661 HD1** and respectfully request it be passed.

Sincerely,

Pamela Tumpap
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.



REPRESENTATIVE DAVID A. TARNAS, CHAIR
REPRESENTATIVE MAHINA POEPOE, VICE CHAIR
HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

TESTIMONY IN **STRONG OPPOSITION** TO HOUSE BILL 661, HD 1
RELATING TO ENVIRONMENTAL REVIEW

February 27, 2025, 2:00 p.m.
Conference Room 325
State Capitol
415 South Beretania Street

Dear Chair Tarnas, Vice-Chair Poepoe, and members of the House Committee on Judiciary & Hawaiian Affairs:

Earthjustice **strongly opposes HB 661, HD1**, which, if passed, would gut core protections provided by the Hawai'i Environmental Policy Act ("HEPA"), one of Hawai'i's bedrock environmental laws. The proposed measure would allow agencies like the Department of Land and Natural Resources to continue indefinitely rubberstamping approvals to use our public trust land, water, and ocean resources, no matter how environmentally and culturally destructive. This negates HEPA's fundamental purpose to consider and mitigate such impacts *before they occur*. Please reject and hold this bill.

The legislature established HEPA over 50 years ago to mandate the disclosure of environmental impacts and "ensure that environmental concerns are given appropriate consideration in decision making." Hawai'i Revised Statutes ("HRS") § 343-1. This purpose is just as or even more important today as when the law was originally passed. HEPA defines applicable "actions" to include "program[s] or project[s] initiated by an agency or applicant" and specifically identifies the types of actions that trigger the requirement for environmental review. *Id.* § 343-5(a). For decades, HEPA and its public review process have stood as a charter mandate for protecting Hawai'i's environment for the long-term benefit of its citizens. HB 661, HD 1 cuts to the heart of HEPA's purpose, subordinating the public interest in service to "commercial . . . activities." *See* House Stand. Com. Rep. No. 607.

HB 661, HD1's preamble suggests, however, that "the State's environmental review process" is to blame for "jeopardiz[ing] law abiding operations, including commercial boating, and recreational activities." In the boating context underlying this and similar bills this session, we understand that the parties are in the process of working out a settlement that would allow operations to continue. The legislature should respect the court process and not intervene on behalf of specific parties or interests in pending litigation.

The further assertion that “recent court decisions have broadened the definition of an environmental ‘action’” misrepresents the law. *See, e.g., Umberger v. Dep’t of Land & Natural Res.*, 140 Hawai’i 500, 515-16, 403 P.3d 277, 292-93 (2017) (listing examples of “the wide range of activities and courses of conduct to which HEPA has been applied”); *see also* HRS § 343-2 (defining “action” broadly as “any program or project to be initiated by an agency or applicant”). The *Umberger* court based its interpretation of the term “action” on the plain, dictionary meanings of the words “program” and “project.” 140 Hawai’i at 513, 403 P.3d at 290. More recently, in 2019, the Office of Environmental Quality Control promulgated specific further definitions for “program” and “project.” Hawai’i Administrative Rules (“HAR”) § 11-200.1-2. If anything, the courts and the 2019 HEPA rules have *narrowed* the definition of “action” by providing greater clarity as to what “action” means.

Having begun from faulty premises, HB 661, HD1 then subverts HEPA’s core purpose by proposing to allow ongoing or recurring permitted activities to continue even while undergoing environmental review. This is an overblown response to the stated reasons for the legislation and threatens to cause sweeping damage beyond its intended scope. Giving a free pass to ongoing permitted activities under HEPA would mean that, in instances where such activities are in fact causing environmental damage, they would be allowed to heedlessly continue, even if environmental review is required. Indeed, permittees and agencies would have zero incentive to timely and faithfully comply with the environmental review process, relegating it to a meaningless paper exercise to justify continued harm and zero change in the status quo. Put simply, HB 661 is gross overkill: it threatens to undo decades of environmental progress in Hawai’i, and it is entirely unnecessary to achieve its stated goals.

HEPA already expressly provides that agencies may exempt from environmental review “specific types of actions, because they will probably have minimal or no significant effects on the environment.” Haw. Rev. Stat. § 343-6(a)(2); *see also* HAR §§ 11-200.1-15, -16, -17 (provisions for general exemptions, agency-specific exemption lists, and procedures for exemption notices). These provisions have been in place and available to state agencies for decades and are still available now to exempt minor activities and allow them to continue. Agency inaction, delay, or recalcitrance in processing appropriate exemptions is no reason to dismantle HEPA. Rather it only highlights the need for the agency to respect the law and process and allow it to work and fulfill its fundamental purpose.

It is by now common knowledge that this and other similar bills this session are purportedly targeted at a specific circumstance on Maui involving commercial tour boat operators in Ka’anapali. Again, we understand that the case is headed toward a resolution that would allow tour operations to continue, with conditions that address the West Maui community’s concerns including ocean safety. In other words, HEPA appears to be fulfilling its purpose in that case.

Indeed, commercial tour boat operators, even more than most commercial entities, rely directly on healthy marine ecosystems for their business. HEPA has been an important and necessary tool for protecting Hawai'i's natural and cultural resources, including specifically our marine ecosystems. Gutting HEPA as proposed in HB 661, HD 1 will ultimately hurt these businesses along with the rest of the community and public who share in these ocean resources. We urge this Committee to hold this bill and foster real solutions to identifiable and actionable issues, rather than capitulate to overreactions and fearmongering.

For these reasons, Earthjustice strongly opposes HB 661, HD1 and respectfully requests that it be held. Mahalo nui for this opportunity to testify. Please do not hesitate to contact us with any further questions or for further information.



Isaac H. Moriwake
Kylie Wager Cruz
Elena L. Bryant
Mahesh Cleveland
Earthjustice, Mid-Pacific Office

HB-661-HD-1

Submitted on: 2/26/2025 1:56:08 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ian Custino	The Moanalua Gardens Fondation	Oppose	Written Testimony Only

Comments:

Re: HB661 HD1 - Relating to Environmental Review

Aloha Chair Tarnas, Vice Chair Poepoe, and members of the Committee on Judiciary & Hawaiian Affairs,

My name is Ian Keali'i Custino, Executive Director of The Moanalua Gardens Foundation, we STRONGLY OPPOSE HB661 HD1, which would allow previously and illegally authorized activities to be continued, potentially indefinitely, without a consideration of their environmental, cultural, and social impacts to our islands and our present and future generations.

Our environmental review law works by allowing decisionmakers to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

This bill would do the opposite, allowing activities that have been previously, but unlawfully, authorized without environmental review, to continue while environmental review is pending. As we have seen in cases such as East Maui, where stream diversions by a politically connected plantation were allowed to continue for nearly 20 years after an environmental assessment had been ordered, years' or decades' worth of devastating yet potentially avoidable impacts could occur without the benefit of environmental review, should this measure be passed into law.

By allowing illegally authorized activities to continue while environmental review compliance is pending - something that has taken literal decades in the dewatering of East Maui's streams - this bill would turn our environmental review process into an afterthought, legitimizing unlawful and irresponsible agency practices that have inflicted and that will continue to inflict tremendous generational harms and injustices upon our islands and communities.

The Moanalua Gardens Foundation urges the committee not to pass H.B. 661 H.D.

1. Mahalo for your attention and consideration.

Me ke aloha,

Ian Keali'i Custino

**Executive Director
Moanalua Gardens Foundation**

ian@mgfhawaii.org

HB-661-HD-1

Submitted on: 2/26/2025 1:56:51 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bronson Azama	Koolaupoko Hawaiian Civic Club	Oppose	Remotely Via Zoom

Comments:

Dear Chair Tarnas, Vice Chair Poepoe, and Committee Members,

The Koolāupoko Hawaiian Civic Club **strongly opposes** HB 661, HD1, which would gut HEPA, one of our bedrock environmental laws. HEPA requires consideration of the environmental and cultural impacts of activities *before* they occur. Instead, the bill would allow state agencies like DLNR to keep rubberstamping permits until whenever they may get around to actually looking at the impacts.

DLNR has for years rubberstamped diversions of billions of gallons of water in East Maui and Kaua‘i and extraction of millions of reef fish on Hawai‘i Island and O‘ahu, without ever looking at the impacts. Communities have successfully taken the agency to court to demand accountability by DLNR. This bill would eliminate this progress and hand these destructive activities a free pass.

This bill isn't necessary and is the result of a scare campaign aimed at gutting our environmental protections. HEPA is meant to apply broadly to promote environmental consciousness, *but nonetheless provides for exemptions of activities that have minor impacts*. This bill instead seeks to give a blanket free pass to commercial users of our public trust land, water, and ocean resources, *no matter what the harms*. It takes a sledgehammer to the law to swat at a fly.

The bill joins the all-out war against our environmental protections by the Trump administration and corporate interests. Hawai‘i should know and do better than this and not wreck our bedrock laws that uphold fundamental principles of environmental stewardship and democracy.

We strongly urge you to **VOTE NO on HB 661, HD1**.

Thank you,

Bronson Azama

Member, Koolaupoko Hawaiian Civic Club



February 26, 2025

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Chair Tarnas

Vice Chair Poepoe

Thursday, February 27, 2025 at 2:00pm

Conference Room 325

State Capitol

415 South Beretania Street

Re: TESTIMONY IN STRONG OPPOSITION OF HOUSE BILL 661 - RELATING TO ENVIRONMENTAL IMPACT STATEMENTS.

Aloha e Tarnas, Vice Chair Poepoe, and Committee Members,

Please accept these comments submitted by the Center for Biological Diversity (Center) in **strong opposition of House Bill 661**, which would enable agencies to continue approving environmentally destructive activities, such as commercial aquarium collection, without adequately assessing their impacts until, if ever, the agencies decide to conduct a proper review or take corrective action.

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 endangered, threatened, and native species and habitat protection issues throughout Hawai'i. The Center has more than 88,000 members throughout the United States, including Hawai'i, with a direct interest in ensuring the conservation of our Hawaiian species and waters.

House Bill 661 undermines crucial protections for Hawai'i's native and endemic species and the ecosystems they depend upon for survival. At a time when many of Hawai'i's species are teetering on the brink due to climate change, habitat disruption, invasive species, and human population growth, it is imperative that we redouble our efforts to recover and safeguard the remaining species and marine ecosystems we still have.

However, House Bill 661 would have the opposite effect. The Center is deeply concerned about the harmful effects this bill would have on Hawai'i's fragile reef ecosystems and the traditional lawai'a pono practices that have been passed down for generations. Commercial aquarium collectors have already caused significant ecological damage to reef systems on O'ahu and

Hawai'i Island, extracting hundreds of thousands of fish and invertebrates annually from critical marine areas, including hotspots like West Hawai'i and Kāne'ohe Bay. Among the species targeted for collection are native and endemic species such as the lau'ipala (yellow tang), kole (goldring surgeonfish), and pāku'iku'i (Achilles tang). These species play a fundamental role in maintaining the health and biodiversity of the reefs, and their removal disrupts the delicate ecological balance that is vital for supporting both healthy ecosystems and Native Hawaiian subsistence fishing practices.

Rather than remaining on the reefs to fulfill their ecological role, the reef life that is extracted is sold and shipped around the world, often in plastic bags, to supply the global ornamental fish market. This practice depletes the local marine environment and denies Hawaiians access to the fish they have relied upon for generations. It is not just an environmental issue; it is a cultural and economic one, as the removal of these species undermines the sustainability of traditional fishing practices that are essential to many Native Hawaiian's culture and livelihoods.

Thanks to the Hawai'i Environmental Policy Act (HEPA) and recent court rulings, the extraction of aquarium fish has been temporarily halted while the State and collectors are required to engage in a more comprehensive review of the environmental and cultural impacts of the practice. This pause has allowed the public environmental review process to properly assess the long-term consequences of aquarium collection and explore alternatives that could help protect Hawai'i's reefs and preserve cultural traditions. This review is an essential step in ensuring that any actions taken do not exacerbate the harm to Hawai'i's fragile marine ecosystems.

However, **this bill would severely weaken HEPA's ability to protect the environment by allowing commercial aquarium collectors to continue their harmful practices without first undergoing a thorough and meaningful environmental review.** It would essentially provide a free pass to industry, allowing them to cause further damage while postponing environmental assessment until it is too late to prevent harm. The bill would render the environmental review process meaningless, turning it into a mere formality rather than a substantive tool for preventing irreversible ecological degradation. The harm caused by continued extraction, once done, cannot be undone, and the long-term impacts on Hawai'i's reefs could be devastating.

Moreover, this bill would gut HEPA's core purpose. The law was designed to ensure that all projects with potential environmental impacts undergo proper review before they proceed, allowing for informed decision-making and public participation. While HEPA does provide for exemptions for activities with truly minor impacts, the scale and nature of commercial aquarium collection make it far from a minor concern. This bill is unnecessary and would undermine the very protections that Hawai'i's environment, cultural resources, and future generations depend upon. Instead of weakening HEPA, we should be reinforcing it to ensure that future decisions about the use of Hawai'i's natural resources are made with the utmost care and respect for both the environment and the cultural practices that sustain it.

Mahalo for this opportunity to provide testimony in **strong opposition of House Bill 661, HD 1.**

/s/ Maxx Phillips
Maxx Phillips, Esq.

Hawai'i and Pacific Islands Director, Staff Attorney
Center for Biological Diversity
1188 Bishop Street, Suite 2412
Honolulu, Hawai'i 96813
(808) 284-0007
MPhillips@biologicaldiversity.org

HB-661-HD-1

Submitted on: 2/26/2025 2:15:16 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Charles KH Young	Hawaii Island Aha Moku	Oppose	Remotely Via Zoom

Comments:

Aloha

My name is Charles Young. I am the current Po‘o of the Hawaii Island Aha Moku. The Aha Moku opposes HB611.

HB-661-HD-1

Submitted on: 2/26/2025 3:42:27 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Stephen Bennett	Trilogy Excursions	Support	Written Testimony Only

Comments:

My name is Stephen Bennett and I am President of Trilogy Excursions. I strongly support **HB661** which is vital to ensuring I can continue to provide work for my employees and for hundreds of others who rely on ocean tourism to stay on Maui.

After the Lahaina fire, many of us lost our homes and livelihoods. Working in Kaanapali has been one of the few ways to rebuild and support our families. Our boats operate with minimal impact—leaving only bubbles and taking only photos—while providing jobs and keeping our community afloat.

If boat operators are forced to shut down due to lengthy environmental reviews, many of us will lose our jobs and our ability to stay on Maui. **Please pass HB661** to protect our livelihoods and help our community recover.

Mahalo,

Stephen Bennett

HB-661-HD-1

Submitted on: 2/27/2025 11:22:36 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Godfrey Akaka	The Native Hawaiian Gathering Rights Association	Support	Written Testimony Only

Comments:

We support.

HB-661-HD-1

Submitted on: 2/27/2025 11:43:45 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lisa Bishop	Friends of Hanauma Bay	Oppose	Written Testimony Only

Comments:

Friends of Hanauma Bay strongly opposes this bill because it allows illegally authorized activities to be continued, potentially indefinitely without a consideration of their environmental, cultural, and social impacts to our islands and the people of Hawai'i for current and future generations.

Please defer this bill!
With Aloha,

Lisa Bishop, MS

President

HB-661-HD-1

Submitted on: 2/25/2025 11:44:48 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lindsey Elkington	Individual	Support	Written Testimony Only

Comments:

My name is Lindsey Elkington, and I work for Trilogy Excursions. I strongly support **HB661** because Kaanapali is vital to my job and many others who rely on ocean tourism to stay on Maui.

If we are forced to shut down, I may no longer have a job. Please pass this bill so we residents of Maui who have been through so much in the last few years, can have a chance to recover.

HB-661-HD-1

Submitted on: 2/25/2025 11:46:02 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Debbie Miller	Individual	Support	Written Testimony Only

Comments:

My name is Debbie Miller, and I work for Trilogy Excursions. I strongly support **HB661** because Kaanapali is vital to my job and many others who rely on ocean tourism to stay on Maui.

After the Lahaina fire, many of us lost our homes and livelihoods. Working in Kaanapali has been one of the few ways to rebuild and support our families. Our boats operate with minimal impact—leaving only bubbles and taking only photos—while providing jobs and keeping our community afloat.

If boat operators are forced to shut down due to lengthy environmental reviews, many of us will lose our jobs and our ability to stay on Maui. **Please pass HB661** to protect our livelihoods and help our community recover.

Mahalo,

Debbie Miller

HB-661-HD-1

Submitted on: 2/25/2025 12:05:05 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nicole Resnick	Individual	Support	Written Testimony Only

Comments:

My name is Nicole Resnick, and I work for Trilogy Excursions. I strongly support **HB661** because Kaanapali is vital to my job and many others who rely on ocean tourism to stay on Maui.

After the Lahaina fire, many of us lost our homes and livelihoods. Working in Kaanapali has been one of the few ways to rebuild and support our families. Our boats operate with minimal impact—leaving only bubbles and taking only photos—while providing jobs and keeping our community afloat.

If boat operators are forced to shut down due to lengthy environmental reviews, many of us will lose our jobs and our ability to stay on Maui. **Please pass HB661** to protect our livelihoods and help our community recover.

Mahalo

Testimony in Strong Support of HB661 – Relating to Environmental Review

Aloha Chair and Members of the Committee,

My name is Alexis Akeo, and I am writing in **strong support of HB661**.

This bill is essential in ensuring that previously permitted activities can continue operating while undergoing environmental review if their permits are challenged. By allowing businesses to remain open during this process, HB661 helps maintain regulatory stability and prevents unnecessary disruptions for compliant operators.

HB661 upholds environmental protections while also preventing redundant reviews that can impose excessive financial and operational burdens on longstanding, law-abiding businesses. It strikes a fair balance between preserving Hawaii's natural resources and supporting regulated commercial activities that have been an integral part of our local economy for years.

Requiring lawfully permitted operators to cease operations while waiting years for environmental studies to be conducted coupled with significant financial resources required for the maintenance of these vessels will inevitably result in business closures and job losses. History has shown that once certain industries lose their permits and are shut down, they do not return, which negatively impacts the revenue generated from commercial operators (HB649 suggests to increase gross receipt fees from 3% to 5% - which is irrelevant if commercial operators have to cease operations). We cannot afford to let this happen again, especially when so many businesses and residents depend on these activities for their livelihoods.

I respectfully urge the committee to pass HB661 and help protect Hawaii's local businesses and working families.

Mahalo for your time and consideration.

Sincerely,
Alexis Akeo

HB-661-HD-1

Submitted on: 2/25/2025 12:18:35 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chancey Juska	Individual	Support	Written Testimony Only

Comments:

My name is Chancey Juska, and I work for Trilogy Excursions. I strongly support **HB661** because Kaanapali is vital to my job and many others who rely on ocean tourism to stay on Maui.

After the Lahaina fire, many of us lost our homes and livelihoods. Working in Kaanapali has been one of the few ways to rebuild and support our families. Our boats operate with minimal impact—leaving only bubbles and taking only photos—while providing jobs and keeping our community afloat.

If boat operators are forced to shut down due to lengthy environmental reviews, many of us will lose our jobs and our ability to stay on Maui. **Please pass HB661** to protect our livelihoods and help our community recover.

Mahalo

HB-661-HD-1

Submitted on: 2/25/2025 12:20:43 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kelly Rainone	Individual	Oppose	Written Testimony Only

Comments:

My name is Kelly Rainone and I strongly oppose **HB661** because ocean tourism may be harmful to the environment. If the study shows it is harmful to the beach environment than while the study is being conducted we should be preventing more negative impact from happening.

Please do not pass HB661 to protect our marine environment and prevent further damage from occurring.

Mahalo

HB-661-HD-1

Submitted on: 2/25/2025 12:29:13 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Denise Boisvert	Individual	Oppose	Written Testimony Only

Comments:

I STRONGLY OPPOSE this bill because it is:

Bad

Dangerous

Detrimental

Dreadful

Harmful

Lousy, and

Terrible, to name a few reasons that come to mind.

HB-661-HD-1

Submitted on: 2/25/2025 12:36:21 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Harrison Bausch	Individual	Support	Written Testimony Only

Comments:

Aloha my name is Harrison Bausch I am an employee of Trilogy Excursions. I am writing to you to testify about the great work Trilogy and other company's like it do to protect our reefs and oceans. As well as tell you about the minimal impact the create.

Trilogy does an amazing job of teaching and abiding by the rules the county of Maui in acts as well as going an extra step further. From funding to safely implement moorings around the beautiful reefs to reduce damage from anchoring. To cleaning up the oceans in projects they implement several times a year. Trilogy teaches tourist how to safely view the reefs without directly interacting with it and the marine animals there. They also teach tourist important information about the culture in Hawaii that is slowly being lost one of the few companies still true to it.

Trilogy also lifts up the community especially after the Lahiana fires. They employs dozens of people who lost there homes and where greatly effected allowing them to have income to bring home for them and there families.

If Trilogy is forced to stop operating in kaanapalii it will affect the lively hood of countless people and the families they employ. They are one of the few companies that truly have a massive effect on our tourism industry which we so greatly rely on here in Hawaii. So I plead with you, renew the permits or Maui will change greatly and not for the better I'm afraid.

HB-661-HD-1

Submitted on: 2/25/2025 12:38:14 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kim Jorgensen	Individual	Oppose	Written Testimony Only

Comments:

Please DO NOT move this bill forward.

Wasn't it Kenny Rogers who sang about knowing when to hold 'em? This is one of those times.

HB-661-HD-1

Submitted on: 2/25/2025 12:53:46 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
SLEIMAN K. SALIBI	Individual	Support	Written Testimony Only

Comments:

Strongly Support HB661 WITH NOTED CHANGES

Add exceptions to Hawaii Environmental Policy Act (HEPA) for:

- Areas where commercial, permitted and government oversight exists, and these activities have been ongoing for over 30 years.
- This exception is ONLY for non-consumptive permitted activities

Without this determination, over 230 families will directly be out work and countless other vendors which serves these businesses will also be impacted.

Mahalo for your time and consideration

HB-661-HD-1

Submitted on: 2/25/2025 1:15:37 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Riley Coon	Individual	Support	Written Testimony Only

Comments:

Dear Chair and committee -

My name is Riley Coon, and I am a 3rd generation captain with Trilogy excursions. I am a lifelong resident of Maui (formerly lived in Lahaina). Our company was started by my Grandparents, starting right here in Lahaina 52 years ago (1973). Our company is also a Native Hawaiian-owned business.

I strongly support **HB661** because Kaanapali is vital to my job and many others who rely on ocean tourism to stay on Maui.

After the Lahaina fire, many of us lost our homes and livelihoods. Working in Kaanapali has been one of the few ways to rebuild and support our families. Our boats operate with minimal impact—leaving only bubbles and taking only photos—while providing jobs and keeping our community afloat.

If boat operators are forced to shut down due to lengthy environmental reviews, many of us will lose our jobs and our ability to stay on Maui. **Please pass HB661** to protect our livelihoods and help our community recover.

During, and immediately after the Lahaina Fire, our company (and so many other boating companies) immediately sprung into action - taking care of the needs of our community. We used our vessels to transport people, food, water, and medical supplies to West Maui. Our company alone raised over \$600,000 in funds that went directly to Maui residents and local small businesses as emergency funding.

As a whole, the commercial boating community here on Maui is deeply involved in our community, as well as our ocean resources. There is always ways to improve, and we are not just willing but excited to participate in the EA/ EIS that was been requested, however if we are all put out of business that will only increase the financial and mental hardships that so many of our residents are feeling in this strenuous time. This bill will provide a necessary hope for so many - our co workers, support businesses, and local vendors who also rely on our continued operations.

Mahalo for your consideration.

Capt. Riley E Coon

HB-661-HD-1

Submitted on: 2/25/2025 1:19:00 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Erin Woo	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am submitting this testimony in strong support of HB661, H.D.1 because it provides a necessary and fair solution for Ka'anapali's ocean-based businesses and the many families who depend on them.

West Maui's locally owned businesses are being unfairly caught in the middle of a broader environmental issue—one that now threatens the livelihood of hundreds of working families. These businesses have operated for years in full compliance with strict regulations from both the U.S. Coast Guard and the State of Hawai'i, ensuring safe and responsible ocean activities. They should not be forced to shut down due to bureaucratic delays when they have already met every existing legal and environmental standard.

HB661 offers a commonsense solution—allowing these already compliant businesses to continue operating while necessary environmental assessments are completed. This bill does not weaken environmental protections but instead ensures that we achieve two equally important objectives:

1. Protecting our environment through proper assessments and planning.
2. Preserving local jobs and businesses that provide economic stability for West Maui families—many of whom have already suffered extreme hardship following the devastating wildfires.

West Maui cannot afford another wave of business closures and job losses. We are still in the process of rebuilding, and further disruption would be devastating to a community that has already endured so much. HB661 strikes the right balance between environmental stewardship and economic stability, ensuring that businesses acting in good faith and within the law are not unfairly penalized.

I strongly urge you to pass HB661 to protect local businesses, preserve West Maui families' livelihoods, and ensure that responsible operators can continue serving our community.

Mahalo for your time, your leadership, and your support of West Maui families.

HB-661-HD-1

Submitted on: 2/25/2025 1:22:31 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kim Moore	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am submitting this testimony in strong support of HB661, H.D.1 because it is not just about protecting businesses—it is about protecting the families who depend on them.

West Maui’s residents have endured unimaginable hardship over the past several years. From the economic devastation of the pandemic to the catastrophic wildfires that forever changed our community, our families have been forced to rebuild time and time again. Now, they are facing yet another crisis—the potential loss of their livelihoods due to regulatory uncertainty.

Ka‘anapali’s ocean-based businesses are highly regulated by both the U.S. Coast Guard and the State of Hawai‘i, operating under strict safety and environmental laws. These businesses have followed every existing rule and requirement, yet they now face closure—not because of any wrongdoing, but because there is no provision allowing compliant businesses to continue operating while new environmental regulations are developed. Without this safeguard, the very laws intended to protect Hawai‘i’s people and environment end up working against the families who call this place home.

This is not just about businesses—it is about the deckhands, the captains, the crew members, the office staff, and the many local vendors who rely on them. It is about parents struggling to keep food on the table, children who have already lost too much, and a community that has repeatedly been asked to endure more than its fair share. We cannot allow unnecessary regulatory delays to be the reason that West Maui families are pushed to the brink once again.

HB661 is a commonsense solution. It does not compromise environmental protections, but it does ensure that hardworking families are not collateral damage in a process that could take months or even years to complete. By allowing businesses that are already in full compliance with federal and state regulations to continue operating while environmental assessments are completed, this bill upholds fairness, economic stability, and the very values of our island community.

West Maui has lost enough. Our families have suffered enough. I urge you to pass HB661 and stand with the hardworking men and women of our community who simply want the chance to provide for their families.

Mahalo for your time, your compassion, and your commitment to protecting West Maui families.

HB-661-HD-1

Submitted on: 2/25/2025 1:28:06 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Blake Moore	Individual	Support	In Person

Comments:

Aloha Chair and Members of the Committee,

My name is Blake Moore, and I strongly support HB661, H.D.1.

I work for one of the many businesses in Ka‘anapali that would be directly impacted if there is no provision allowing federally and state-regulated operators to continue working while new environmental regulations are developed. But more importantly, I am a husband and a parent, and like many others in our industry, my family’s entire livelihood depends on my ability to work.

Over the last five years, our community has been hit with crisis after crisis—first, the shutdowns during the pandemic, then the devastating wildfires that turned so many lives upside down. We have fought to survive. We have rebuilt, adapted, and done everything in our power to support our employees, our families, and our community. And just as we are trying to regain stability, we are now facing the very real possibility of losing our jobs—not because we’ve done anything wrong, but because there is no process in place to allow compliant businesses to continue operating while environmental reviews take place.

Let me be clear: We fully support environmental protections—we live and work here because we love and respect the ocean. We already follow some of the strictest regulations in the country under the U.S. Coast Guard and State of Hawai‘i. Our business operates safely, responsibly, and within the law. But without a solution like HB661, H.D.1, we are being punished for doing everything right.

If my company shuts down, it’s not just a business that’s affected. It’s my family. It’s my kids. It’s our mortgage, our groceries, our basic ability to live. And it’s not just me—hundreds of other families in West Maui are in the same situation. Deckhands, captains, reservations staff, maintenance crews—all hardworking people who have already lost so much and now face losing everything again.

West Maui cannot afford another shutdown. Our families cannot take another hit. The state has a responsibility to ensure that businesses already complying with federal and state laws are able to continue operating while environmental assessments are conducted. Without this safeguard, the laws meant to protect us will be the very thing that destroys us.

HB661, H.D.1 is a fair and balanced solution. It protects the environment while also protecting local families who have endured more hardship than anyone should be asked to bear. Please, I urge you—pass HB661, H.D.1 and stand with the hardworking people of West Maui. We cannot afford to lose any more.

Mahalo for your time, your compassion, and your leadership.

TESTIMONY SB:1074 SD1

TESTIMONY IN SUPPORT of HB661 – Environmental Review

Aloha Chair and Members of the Committee,

I, Claudio H. Andrade am in **support of HB661**

Upon writing this today, Maui and Lahaina / Ka'anapali remain in critical condition. Recovery for us following the horrendous fires as residents, employees and businesspeople has been at a snail's pace that does not seem to be moving forward with any real pace now or for the foreseeable future. Hotels, tourism and the businesses related to the hospitality industry are struggling to regain any level of occupancy and productivity. Exacerbating this by any measure to remove, eliminate or further take away business or activities for our guests to participate in while staying in Ka'anapali or West Maui seems unconscionable. Due to a position taken recently by Judge Cahill "ALL" businesses in Kaanapali for ocean recreation, boating and watersports will cease to exist once their current permits expire and remain closed until an environmental assessment is conducted. This is untenable and would immediately bankrupt and force 27 professional operations to close. Again, this is beyond thinkable and puts 260 families out onto the street! In fact, it seems like those of us in the boating and ocean recreation industry have been unreasonably caught up as "*collateral damage*" with other ongoing conservation and environmental related challenges elsewhere. The Ka'anapali ORMA permit holders and ocean recreation operators provide a service and experience without the taking, harvesting, gathering or any potential negative impact to natural resources. Simply hosting a guest on a sunset or whale watch sail or offering a surfing lesson or even outrigger canoe ride is vastly different than other challenges the State may have. This Bill was created and submitted to recognize and help the Ka'anapali operators with pending full closure and aid those operators as they attempt to yet again recover from disaster. Please do not punish longstanding, professional operators that in many cases have been safely and respectfully operating in Ka'anapali for nearly two generations.

My interpretation of SB 1074 SD1 is that it provides for an operator to go forward and continue with their operations and services during the process of an environmental review. Services as permitted would be allowed to continue everything for operations as is normal circumstance if / when permits are challenged for environmental or other concerns. Having this continuation of services is very important as it allows the operator to remain in business and continue until or if reviews show that for any reason operations should be stopped. If narrowing this Bill to apply to Ka'anapali ORMA permit operators as was the intention assist in moving forward towards approval that would be fully acceptable.

If long standing permit holders that have operated within all guidelines and followed all regulations are put into a position whereby, they need to fully cease all activities of their business during environmental reviews then we will lose strong, dependable operators and punish them for following and abiding by all State mandated guidelines. Once they close history shows, and practical understanding reflects *that they are not coming back!* We should not lose valuable Hawaii jobs and reputable community businesses in this manner.

Beyond the immediate impact to our valuable Ka'anapali and West Maui visitors and our employees and business many, many support operators and businesses will be crushed. Please consider:

- *Estimated \$60M in annual revenues generated by all Ka'anapali ORMA permit operators goes away*
- *3% of \$60M in revenue now goes to DLNR or \$1.8 M to their budget, that goes away. NOTE: A Bill is now also being proposing a bill in legislature to raise this to 5%. Whether 5% or 3 % if no revenue no %*
- *\$1.00 per passenger to DAR (program just started in 2024) that would be \$750K-\$1M, that all goes away*
- *4.172% sales tax on \$60M or \$2.83M in state tax revenue, that all goes away*
- *\$9M (estimated) in commissions paid to travel agents, concierge, and activity desk operators on \$60M, that all goes away**
- *All pre and post revenue to restaurants and shops in the Ka'anapali area by tens of thousands of annual boating and ocean recreation participants, that all goes away**
- *More than 225,000 meals prepared by local restaurants or caterers for use on all boating operation, that all goes away-and the jobs of those people preparing them!*
- *Mechanics, fuel providers, maintenance personnel, transportation, ice deliveries, Uber drivers and countless others impacted with massive drop in needs and then loss of need for those jobs. That all goes away*
- *\$500K or more in beverage purchase and delivery of those items. This all goes away*
- *With a tremendous reduction of activities, experience and things to do in Ka'anapali / West Maui literally thousands of vacationers and tourist may choose elsewhere and then they go away.*

There are multiple points of further impact and collateral damage to other industries, jobs, livelihood, and commerce. These are important, however the human impact, as noted above remains a direct loss of 260 ocean activity and boating related jobs, family upheaval, removal from schools, inability to afford staying on Maui and families then moving to the mainland. This all would be unacceptably tragic.

I'm asking you to please vote for and pass SB 1074 SD1 for the sake of our communities, families, business investments and small entrepreneurs that are the backbone of our economy.

Thank you for your time in reading and considering my testimony.

Regards,

Claudio H. Andrade

HB-661-HD-1

Submitted on: 2/25/2025 1:46:15 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bianca Isaki	Individual	Oppose	Remotely Via Zoom

Comments:

Please do not pass HB661, HB1. The Kaanapali commercial operators do not need this bill to operate. Litigating community groups and Kaanapali boat operators have a framework for settlement and the attorneys are just fine tuning the language. Therefore, the bill is not needed for this since the various groups have been able to work out a resolution without impacting orderly environmental review.

Instead, the bill would have far reaching unintended consequences for many other areas.

Yours,

Bianca Isaki

HB-661-HD-1

Submitted on: 2/25/2025 1:50:00 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Philip akeo	Individual	Support	Written Testimony Only

Comments:

Testimony in Strong Support of HB661 – Relating to Environmental Review

Aloha Chair and Members of the Committee,

My name is Philip Akeo, and I am writing in strong support of HB661.

This bill is critical to ensuring that lawfully permitted businesses can continue operating while undergoing environmental review if their permits are challenged. Without this protection, businesses face unnecessary shutdowns, jeopardizing jobs, livelihoods, and economic stability—all before any final determinations are made.

HB661 strikes a necessary and fair balance between maintaining robust environmental protections and preventing redundant, burdensome reviews that threaten longstanding, compliant operators. Hawaii’s economy depends on these regulated commercial activities, and allowing them to be arbitrarily halted could have long-term, irreversible consequences.

Forcing lawfully permitted businesses to cease operations for years while waiting for environmental studies—on top of the exorbitant costs required to maintain vessels and infrastructure—will inevitably lead to closures and job losses. We have already seen how difficult, if not impossible, it is for industries to recover once they are shut down. Losing these businesses means losing critical revenue for the state, jobs for local residents, and valuable services that support our community.

Moreover, increasing fees on commercial operators, as proposed in HB649, becomes irrelevant if these businesses are no longer operating in the first place. If we do not act now to protect them, Hawaii risks losing vital industries that have been part of our economy for generations.

I urge the committee to pass HB661 to ensure regulatory stability, protect local businesses, and safeguard the livelihoods of Hawaii's working families.

Mahalo for your time and consideration.

Sincerely,

Philip Akeo

HB-661-HD-1

Submitted on: 2/25/2025 1:57:38 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alyssa	Individual	Support	Written Testimony Only

Comments:

Aloha,

This bill is essential in ensuring that previously permitted activities can continue operating while undergoing environmental review if their permits are challenged. By allowing businesses to remain open during this process, HB661 helps maintain regulatory stability and prevents unnecessary disruptions for compliant operators, which is critical for the sustained health of Hawaii's economy.

HB661 not only upholds important environmental protections but also prevents redundant and unnecessary reviews that could place excessive financial and operational burdens on businesses that have been operating lawfully for years. The bill strikes a fair balance, ensuring that Hawaii's natural resources are protected while also supporting longstanding, regulated commercial activities that contribute significantly to the local economy, including industries such as tourism, agriculture, and fishing.

Requiring businesses to halt operations while waiting for years for environmental studies to be completed, alongside the considerable financial resources needed to maintain operations in the interim, will inevitably lead to closures and job losses. For example, businesses in sectors like commercial fishing or tour operations rely on the continuous operation of their vessels and services to sustain their workforce. When these businesses are forced to shut down due to permit challenges and prolonged review processes, they often never recover. The impact on workers, many of whom rely on these jobs for their livelihoods, would be devastating.

We cannot afford to let this happen again, particularly when so many businesses and local families depend on these industries for their economic stability. HB661 provides the necessary framework to ensure that businesses are allowed to continue operating without fear of being shut down due to permit challenges, safeguarding both environmental and economic interests.

I respectfully urge the committee to pass HB661, which will help protect Hawaii's local businesses, working families, and the broader economy from unnecessary disruptions while ensuring that we maintain the environmental safeguards that make Hawaii so special.

Mahalo for your time.

HB-661-HD-1

Submitted on: 2/25/2025 1:59:02 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Antonio	Individual	Support	Written Testimony Only

Comments:

Aloha

As a boat worker, I can tell you firsthand how crucial it is that businesses in industries like ours are able to continue operating while their permits are being reviewed. HB661 ensures that permitted activities can keep running smoothly, even if their permits are challenged, preventing unnecessary disruptions to our livelihoods. This bill is essential for maintaining the stability of businesses that depend on uninterrupted operations, like commercial fishing, tour boats, and other marine services.

HB661 balances the need for environmental protection with the reality that businesses, especially those that have been lawfully operating for years, should not face undue financial burdens from redundant or excessive reviews. By allowing us to continue our work while the reviews are happening, it helps preserve the jobs of boat workers, crew members, and countless others who rely on these businesses for their income.

When businesses are forced to stop operating while waiting for environmental studies to be completed, it's a heavy blow to everyone involved. We need our boats to be working in order to make a living, and the costs of keeping a vessel docked—without the ability to earn income—can be devastating. Not only does this impact workers directly, but it also hurts local communities and families who rely on these industries. The fear is that if businesses close their doors for long periods due to delays, they may never come back, leaving many without work.

We can't afford to lose more businesses in Hawaii, especially when so many families rely on this work. HB661 would ensure that we can continue operating while undergoing environmental review, so we can keep our jobs, support our communities, and contribute to Hawaii's economy without fear of losing everything while waiting for a permit to be processed.

I respectfully urge the committee to pass HB661 to protect the livelihoods of boat workers, their families, and the local businesses that are vital to Hawaii's economy.

Mahalo

HB-661-HD-1

Submitted on: 2/25/2025 1:59:15 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Glenn Casil	Individual	Support	Written Testimony Only

Comments:

I, Glenn Casil, am in support of **HB661**.

I am born, raised & have been a Maui resident for most of my life, and I am currently the General Manager for The Westin Nanea Ocean Resort Villas.

As I interpret HB1661 it provides for an operator to go forward and continue with their operations and services during the process of an environmental review. Services as permitted would be allowed to continue everything for operations as is normal circumstance if / when permits are challenged for environmental or other concerns. Having this continuation of services is very important as it allows the operator to remain in business and continue on until or if reviews show that for any reason operations should be stopped.

Although it is certainly important to protect and be responsible for Hawaii's natural resources it is also important to respect and allow professional businesses to operate safely and withing noted guidelines to remain in business.

If long standing permit holders that have operated within all guidelines and followed all regulations are put into apposition whereby, they need to full-stop all activities of their business during environmental reviews then we will lose strong, dependable operators and punish them for following and abiding by all guidelines. Once they close history shows, and practical understanding reflects *that they are not coming back!* We should not lose valuable Hawaii jobs and reputable community businesses in this manner.

I'm asking you to please vote for and *pass HB 661* for the sake of our communities, families, business investments and small entrepreneurs that are the backbone of our economy, and specifically here on Maui where concentration for support, and urgent consideration is needed during this post-fire, rebuilding time of our community.

Thank you for considering my testimony.

Respectfully,

Glenn Casil

HB-661-HD-1

Submitted on: 2/25/2025 1:59:48 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ryan Robb	Individual	Support	Written Testimony Only

Comments:

My name is Ryan Robb and I work for Trilogy Excursions. I strongly support **HB661** because Kaanapali is vital to my job and many others who rely on ocean tourism to stay on Maui.

I live with and care for my elderly Aunt who lives in Kaanapali because my Uncle passed away last May. Working in Kaanapali has been one of the few ways to rebuild and support our families. Our boats operate with minimal impact—leaving only bubbles and taking only photos—while providing jobs and keeping our community afloat.

If boat operators are forced to shut down due to lengthy environmental reviews, many of us will lose our jobs and our ability to stay on Maui. **Please pass HB661** to protect our livelihoods and help our community recover.

Mahalo

HB-661-HD-1

Submitted on: 2/25/2025 1:59:56 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John	Individual	Support	Written Testimony Only

Comments:

Aloha Kakou,

As a boat maintenance worker, I understand the critical role that uninterrupted operations play in maintaining both the livelihood of our industry and the safety of our fleet. HB661 is vital because it allows businesses to continue operating while their permits are under environmental review, even if those permits are challenged. This ensures that boats and vessels remain in service, providing essential services to Hawaii’s economy, while minimizing the disruption to our work and the businesses we rely on.

From a boat maintenance standpoint, halting operations while awaiting environmental reviews creates significant financial strain. Maintaining a boat is expensive—especially for long-term operations—and without the ability to continue working, vessels are left docked, deteriorating, and costing even more money in repairs and upkeep. It’s a vicious cycle that affects maintenance workers, boat owners, crew members, and the local communities dependent on these industries. A boat that sits idle for months or years because of regulatory delays doesn’t just lose income; it suffers wear and tear, which drives up future maintenance costs.

HB661 offers a solution by allowing businesses to keep operating, ensuring that boats stay in service and are maintained properly. This helps prevent further financial burden on the boat owners and operators and keeps workers like myself employed, without the risk of having to shut down our operations completely. The maintenance work that goes into keeping these vessels running smoothly is vital—not only for the operation of the boats but for the workers who rely on them for their jobs.

If businesses are forced to cease operations during the lengthy environmental review process, it could lead to closures that not only cost jobs in boat maintenance but also impact the entire maritime sector and the families who depend on it. The ripple effect could be devastating for the economy, particularly for workers like me who rely on continuous operations to keep the boats in good condition.

I respectfully urge the committee to pass HB661. This bill will ensure that the maritime industry continues to operate without disruption, allowing boat maintenance workers to keep our boats in the best condition possible while preserving jobs and supporting Hawaii’s local economy.

Mahalo nui

HB-661-HD-1

Submitted on: 2/25/2025 2:15:38 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ian ponting	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am submitting this testimony in strong support of HB661, HD1.

West Maui’s small businesses, particularly those operating in Ka’anapali, are being unfairly caught up in a broader environmental issue—one that now threatens the livelihood of dozens of locally owned businesses and hundreds of West Maui families who rely on them. These businesses have long operated in full compliance with stringent regulations set by both the U.S. Coast Guard and the State of Hawai‘i, ensuring safe and responsible ocean activities.

While protecting our environment is critical, we must also ensure that local businesses and working families are not collateral damage in the process. HB661 provides a commonsense solution—allowing businesses that are already compliant with existing laws and regulations to continue operating while environmental assessments are completed. This approach achieves two critical goals:

1. Safeguarding the environment through proper assessments and planning.
2. Protecting local jobs and families who have already suffered immense economic hardship following the devastating wildfires.

West Maui cannot afford to lose more businesses and jobs due to unnecessary bureaucratic delays. This bill strikes a fair balance between environmental stewardship and economic stability. I strongly urge you to pass HB661 to protect our local businesses, preserve West Maui families’ livelihoods, and ensure that responsible operators can continue serving our community.

Best Regards,

Ian Ponting

Kula Maui

HB-661-HD-1

Submitted on: 2/25/2025 2:25:08 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kealani miller-patacsil	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am submitting this testimony in strong support of HB661, HD1.

West Maui’s small businesses, particularly those operating in Ka’anapali, are being unfairly caught up in a broader environmental issue—one that now threatens the livelihood of dozens of locally owned businesses and hundreds of West Maui families who rely on them. These businesses have long operated in full compliance with stringent regulations set by both the U.S. Coast Guard and the State of Hawai‘i, ensuring safe and responsible ocean activities.

While protecting our environment is critical, we must also ensure that local businesses and working families are not collateral damage in the process. HB661 provides a commonsense solution—allowing businesses that are already compliant with existing laws and regulations to continue operating while environmental assessments are completed. This approach achieves two critical goals:

1. Safeguarding the environment through proper assessments and planning.
2. Protecting local jobs and families who have already suffered immense economic hardship following the devastating wildfires.

West Maui cannot afford to lose more businesses and jobs due to unnecessary bureaucratic delays. This bill strikes a fair balance between environmental stewardship and economic stability. I strongly urge you to pass HB661 to protect our local businesses, preserve West Maui families’ livelihoods, and ensure that responsible operators can continue serving our community.

Thanks for your time on this.

HB-661-HD-1

Submitted on: 2/25/2025 2:28:49 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Abi	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am submitting this testimony in strong support of HB661, HD1.

West Maui’s small businesses, particularly those operating in Ka’anapali, are being unfairly caught up in a broader environmental issue—one that now threatens the livelihood of dozens of locally owned businesses and hundreds of West Maui families who rely on them. These businesses have long operated in full compliance with stringent regulations set by both the U.S. Coast Guard and the State of Hawai‘i, ensuring safe and responsible ocean activities.

While protecting our environment is critical, we must also ensure that local businesses and working families are not collateral damage in the process. HB661 provides a commonsense solution—allowing businesses that are already compliant with existing laws and regulations to continue operating while environmental assessments are completed. This approach achieves two critical goals:

1. Safeguarding the environment through proper assessments and planning.
2. Protecting local jobs and families who have already suffered immense economic hardship following the devastating wildfires.

West Maui cannot afford to lose more businesses and jobs due to unnecessary bureaucratic delays. This bill strikes a fair balance between environmental stewardship and economic stability. I strongly urge you to pass HB661 to protect our local businesses, preserve West Maui families’ livelihoods, and ensure that responsible operators can continue serving our community.

I strongly urge the committee to support HB661, HD1 for the sake of our island and our community. Thank you for the opportunity to provide testimony, and I appreciate your consideration of this important matter.

Sincerely,
Abigail Bracerros

HB-661-HD-1

Submitted on: 2/25/2025 2:30:16 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Robert Wo	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I strongly support HB661 and urge you to consider the significant consequences of restricting beach catamaran operations in West Maui.

As we continue the difficult road to recovery following the devastating fires, Maui's tourism industry remains fragile. Any further restrictions on key visitor experiences - such as catamaran excursions - would be another devastating setback for local businesses, workers, and the broader community.

It is important to recognize that Maui's ocean and beach activities are part of what makes a Maui vacation so special. For generations, visitors have come to Maui not just for its natural beauty, but for the unique, small-scale ocean experiences that local businesses provide. Shutting down these businesses takes away a piece of what makes Maui extraordinary.

I urge you to allow these ocean recreation activities to remain operational while any necessary environmental reviews take place - rather than implementing immediate shutdowns that will lead to financial ruin for so many.

Maui's future depends on policies that balance environmental conservation with economic sustainability. We must protect our natural resources while also ensuring that our workers, families, and businesses have a path forward.

Thank you for your time and consideration.

Robert Wo

TESTIMONY FOR House Bill HG 661

TESTIMONY IN SUPPORT of House Bill HG 661- Environmental Review

To the Chair and Members of the Committee,

As a resident of Maui that has served over 40 years in our Hospitality Industry, I am in support of SB 1074 SD1.

Ever since the disastrous fires in Lahaina, our visitor Industry continues to suffer the aftermath with hotels, tourism and related businesses not nearly back to operating conditions experienced prior to August 2023.

The position recently taken by Judge Cahill stating that **“All businesses in Kaanapali for ocean recreation, boating and watersports will cease to exist once their current permits expire and remain closed until an environmental assessment is conducted.”**

As you can imagine, this has the potential to force 20+ professional operators, with many families, to close their businesses and be out of work!

The Kaanapali ORMA permit holders and ocean recreation operators provide a unique service and experience with minimal impact on our natural resources.

As I interpret Senate Bill 1074 SD1, I believe it provides for these operators to go forward and continue with their operations and services during the process of an environmental review. Services as permitted would be allowed to continue everything for their operations as is normal circumstance if or when permits are challenged for environmental or other concerns. Having this continuation of services is obviously important as it allows the operator to remain in business and continue until a decision is made.

If narrowing this Bill to apply to Kaanapali ORMA permit operators as was the intention, assist in moving forward towards approval, that would be acceptable.

If long standing permit holders that have operated within all guidelines and followed all regulations are put into a position whereby they need to cease all activities of their business during environmental reviews, we will lose strong dependable operators and punish them for following and abiding by all State mandated guidelines. *This would surely contribute to loss of Hawaii jobs and community businesses.*

Beyond the immediate impact to our Kaanapali and West Maui visitors and employees of these businesses, many other support organizations to these operators would be severely impacted.

Another critical factor to consider is the loss of income in the tens of millions of dollars annually to the State that would disappear. Add to that the huge loss of \$ to various restaurants, shops, mechanics, fuel providers, transportation, concierge and caterers would be lost having an even wider negative impact.

In summary I am asking you to **please vote for and pass SB 1074 SD1** for the sake of our communities, families, business investments and small operators that represent the backbone of our economy in Maui.

Terry Dowsett
General Manager



Team Member since 2005 Aston at the Maui Banyan

Aloha Chair and Members of the Committee,

I am submitting this testimony in strong support of HB661, HD1.

West Maui's small businesses, particularly those operating in Ka'anapali, are being unfairly caught up in a broader environmental issue—one that now threatens the livelihood of dozens of locally owned businesses and hundreds of West Maui families who rely on them. These businesses have long operated in full compliance with stringent regulations set by both the U.S. Coast Guard and the State of Hawai'i, ensuring safe and responsible ocean activities.

While protecting our environment is critical, we must also ensure that local businesses and working families are not collateral damage in the process. HB661 provides a commonsense solution—allowing businesses that are already compliant with existing laws and regulations to continue operating while environmental assessments are completed. This approach achieves two critical goals:

1. Safeguarding the environment through proper assessments and planning.
2. Protecting local jobs and families who have already suffered immense economic hardship following the devastating wildfires.

West Maui cannot afford to lose more businesses and jobs due to unnecessary bureaucratic delays. This bill strikes a fair balance between environmental stewardship and economic stability. I strongly urge you to pass HB661 to protect our local businesses, preserve West Maui families' livelihoods, and ensure that responsible operators can continue serving our community.

Thank you for your time.

Sincerely,

Irene Wandtke

HB-661-HD-1

Submitted on: 2/25/2025 2:38:12 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Glenn Morrin	Individual	Support	Written Testimony Only

Comments:

Subject: Support for SB1074 – Protecting Local Jobs and Our Ohana

Aloha,

My name is Glenn Morrin, and I am writing to express my strong support for SB1074. As a resident and employee here on Maui, I have seen how much our community has struggled, especially in the past few years. Our families and neighbors have faced many challenges, and we need help to recover. SB1074 offers that support, and I urge you to pass this bill so we can continue to provide for our ohana and keep our jobs.

I work at Three’s Bar & Grill, a place that has been a part of Maui for over 15 years, offering a welcoming space for both locals and visitors. For me and many others, Three’s isn’t just a job—it’s part of my life. I’ve worked here since day one, and keeping us open is crucial not just for me, but for my community. I am a senior, and continuing to work at Three’s helps me stay active and employed, allowing me to afford living on this beautiful island.

In addition to the restaurant, we also provide catering for Teralani Sailing Charters, serving tens of thousands of meals to guests each year. This partnership helps us reach more people, brings business to our community, and supports the tourism industry. With over 80 employees, many of us are family members, and we depend on the work we do to provide for ourselves and our loved ones. Passing SB1074 will protect these jobs and make sure we can continue supporting each other.

Keeping Three’s open also supports all of our other vendors, including food distributors, local farms, breweries, and distilleries. These local businesses rely on us as much as we rely on them, and when one link in the chain is threatened, the whole community feels the impact.

I care deeply about protecting Hawaii’s environment, and SB1074 strikes a fair balance. It allows businesses like ours to continue running while going through any necessary environmental reviews if permits are contested. If we are forced to shut down for years while costly studies are conducted, it will hurt the local economy, cause job losses, and create more uncertainty for families like mine. History shows that businesses that lose their permits often never reopen, and that’s something none of us want to see.

This bill is critical to ensure that Three's Bar & Grill, our catering service, and other local businesses can continue supporting their employees and the Maui community for years to come. Please pass SB1074 to support the people and families who are the heart of West Maui. We need your help to keep our jobs and continue taking care of our ohana.

Mahalo for considering my testimony and for your support of our community.

Sincerely,
Glenn Morrin
Employee, Three's Bar & Grill

If we are forced to shut down for years while costly studies are conducted, it will hurt the local economy, cause job losses, and create more uncertainty for families like mine. History shows that businesses that lose their permits often never reopen, and that's something none of us want to see. This bill is critical to ensure that Three's Bar & Grill, our catering service, and other local businesses can continue supporting their employees and the Maui community for years to come.

Please pass SB1074 to support the people and families who are the heart of West Maui. We need your help to keep our jobs and continue taking care of our ohana.

Mahalo for considering my testimony and for your support of our community.

Sincerely,
Glenn Morrin
Employee, Three's Bar & Grill

HB-661-HD-1

Submitted on: 2/25/2025 2:39:31 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Christopher T White	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am submitting this testimony in strong support of HB661, HD1.

West Maui’s small businesses, particularly those operating in Ka’anapali, are being unfairly caught up in a broader environmental issue—one that now threatens the livelihood of dozens of locally owned businesses and hundreds of West Maui families who rely on them. These businesses have long operated in full compliance with stringent regulations set by both the U.S. Coast Guard and the State of Hawai‘i, ensuring safe and responsible ocean activities.

While protecting our environment is critical, we must also ensure that local businesses and working families are not collateral damage in the process. HB661 provides a commonsense solution—allowing businesses that are already compliant with existing laws and regulations to continue operating while environmental assessments are completed. This approach achieves two critical goals:

1. Safeguarding the environment through proper assessments and planning.
2. Protecting local jobs and families who have already suffered immense economic hardship following the devastating wildfires.

West Maui cannot afford to lose more businesses and jobs due to unnecessary bureaucratic delays. This bill strikes a fair balance between environmental stewardship and economic stability. I strongly urge you to pass HB661 to protect our local businesses, preserve West Maui families’ livelihoods, and ensure that responsible operators can continue serving our community.

HB-661-HD-1

Submitted on: 2/25/2025 2:44:20 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Sager	Individual	Support	Written Testimony Only

Comments:

Subject: Testimony in Support of HB661 HD1 – Relating to Environmental Review

Aloha Chair and Members of the Committee,

My name is Elizabeth Sager and I am a resident and employee of West Maui. I am writing in support of HB661 HD1, which is essential for ensuring that ocean tourism operators in Kā'anapali can continue their operations while undergoing environmental review.

I am a firm believer of the importance of businesses and individuals taking accountability for their impacts on the environment and support government regulations to ensure this is followed. However, arbitrarily not reissuing permits to businesses that have been following the current guidelines without offering them the time to become compliant with the current request for environmental review seems like an unfair practice that undermines the industry at large.

HB661 is not about bypassing environmental review but rather allowing businesses to continue operations while an environment review takes place. Without its passage, there will inevitably be closure of local businesses and the loss of job for many.

I cannot emphasize enough the hardships our community has faced since the Lahaina fire. Here in West Maui, despite the great efforts to move forward, every day we hear stories of families struggling to make it due to the challenges being faced as a result of limited affordable housing and employment opportunities. The boating industry is an important part of our local economy and impacts the livelihood of many of local families. Without the passage of HB661, this industry will be irreparably harmed, forcing long standing businesses to shut down and causing additional hardship to local families.

Thank you for considering my testimony. I ask that you please pass HB661 and support our local families and businesses.

Sincerely,
Elizabeth Sager

HB-661-HD-1

Submitted on: 2/25/2025 2:45:35 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cliff Robinson	Individual	Support	Written Testimony Only

Comments:

I strongly support HB661 as this supports local businesses and jobs that will be lost otherwise. Without HB661 Maui could lose over 250 jobs that are needed more than ever

HB-661-HD-1

Submitted on: 2/25/2025 2:53:13 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Herb Conley	Individual	Support	Written Testimony Only

Comments:

TESTIMONY HB661

TESTIMONY IN SUPPORT of HB661 – Environmental Review

Aloha Chair and Members of the Committee,

I, Herb Conley am in *support of HB661*

Upon writing this today Maui and Lahaina / Ka’anapali remain in critical condition. Recovery for us following the horrendous fires as residents, employees and businesspeople has been at a snail’s pace that does not seem to be moving forward with any real pace now or for the foreseeable future. Hotels, tourism and the businesses related to the hospitality industry are struggling to regain any level of occupancy and productivity. Exacerbating this by any measure to remove, eliminate or further take away business or activities for our guests to participate in while staying in Ka’anapali or West Maui seems unconscionable. Due to a position taken recently by Judge Cahill “*ALL*” *businesses in Kaanapali for ocean recreation, boating and watersports will cease to exist once their current permits expire* and remain closed until an environmental assessment is conducted. This is untenable and would immediately bankrupt and force 27 professional operations to close. Again, this is beyond thinkable and puts 260 families out onto the street! In fact, it seems like those of us in the boating and ocean recreation industry have been unreasonably caught up as “*collateral damage*” with other ongoing conservation and environmental related challenges elsewhere. The Ka’anapali ORMA permit holders and ocean recreation operators provide a service and experience without the taking, harvesting, gathering or any potential negative impact to natural resources. Simply hosting a guest on a sunset or whale watch sail or offering a surfing lesson or even outrigger canoe ride is vastly different than other challenges the State may have. This Bill was created and submitted to recognize and help the Ka’anapali operators with pending full closure and aid those operators as they attempt to yet again recover from disaster. Please do not punish longstanding, professional operators that in many cases have been safely and respectfully operating in Ka’anapali for nearly two generations.

My interpretation of HB661 is that it provides for an operator to go forward and continue with their operations and services during the process of an environmental review. Services as permitted would be allowed to continue everything for operations as is normal circumstance if /

when permits are challenged for environmental or other concerns. Having this continuation of services is very important as it allows the operator to remain in business and continue until or if reviews show that for any reason operations should be stopped. If narrowing this Bill to apply to Ka'anapali ORMA permit operators as was the intention assist in moving forward towards approval that would be fully acceptable.

If long standing permit holders that have operated within all guidelines and followed all regulations are put into a position whereby, they need to fully cease all activities of their business during environmental reviews then we will lose strong, dependable operators and punish them for following and abiding by all State mandated guidelines. Once they close history shows, and practical understanding reflects *that they are not coming back!* We should not lose valuable Hawaii jobs and reputable community businesses in this manner.

Beyond the immediate impact to our valuable Ka'anapali and West Maui visitors and our employees and business many, many support operators and businesses will be crushed. Please consider:

- *Estimated \$60M in annual revenues generated by all Ka'anapali ORMA permit operators goes away*
- *3% of \$60M in revenue now goes to DLNR or \$1.8 M to their budget, that goes away. NOTE: A Bill is now also being proposing a bill in legislature to raise this to 5%. Whether 5% or 3 % if no revenue no %*
- *\$1.00 per passenger to DAR (program just started in 2024) that would be \$750K-\$1M, that all goes away*
- *4.172% sales tax on \$60M or \$2.83M in state tax revenue, that all goes away*
- *\$9M (estimated) in commissions paid to travel agents, concierge, and activity desk operators on \$60M, that all goes away**
- *All pre and post revenue to restaurants and shops in the Ka'anapali area by tens of thousands of annual boating and ocean recreation participants, that all goes away**
- *More than 225,000 meals prepared by local restaurants or caterers for use on all boating operation, that all goes away-and the jobs of those people preparing them!*
- *Mechanics, fuel providers, maintenance personnel, transportation, ice deliveries, Uber drivers and countless others impacted with massive drop in needs and then loss of need for those jobs. That all goes away*
- *\$500K or more in beverage purchase and delivery of those items. This all goes away*
- *With a tremendous reduction of activities, experience and things to do in Ka'anapali / West Maui literally thousands of vacationers and tourist may choose elsewhere and then they go away.*

There are multiple points of further impact and collateral damage to other industries, jobs, livelihood, and commerce. These are important, however the human impact, as noted above remains a direct loss of 260 ocean activity and boating related jobs, family upheaval, removal from schools, inability to afford staying on Maui and families then moving to the mainland. This all would be unacceptably tragic.

I'm asking you to please vote for and *pass HB661* for the sake of our communities, families, business investments and small entrepreneurs that are the backbone of our economy.

Thank you for your time in reading and considering my testimony.

Regards,

Herb Conley

HB-661-HD-1

Submitted on: 2/25/2025 2:57:23 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Fred Findlen	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am in support of HB 661. Recent events including the fire in Lahaina have been devastating to hotels, tourism and businesses related to the hospitality industry. Eliminating or taking away any other business activities for our visitors to take part in would be devastating to the local community. Upwards of 250 plus families would be impacted with the loss of jobs, forcing people to potentially leave the island which would be devastating to the schools and local economy. We've already seen so much loss and families leaving the island that this would exasperate it even further.

Please vote for and pass HB 661 as it is vital for the future of our community.

Mahalo,

Fred G. Findlen

General Manager

Hyatt Regency Maui Resort and Spa

HB-661-HD-1

Submitted on: 2/25/2025 3:03:30 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kathy Takahashi	Individual	Support	Written Testimony Only

Comments:

Suport onlly with changes noted below

Aloha Chairs Tarnas and Vice Chair Poepoe and committee members,

HB661 has been under opposition by those seeing this as a threat to HEPA, aka: Umberger Ruling regarding aquarium fishing. In no way is this Bill meant to undermine the Umberger Ruling. It's intention is to prevent the shut down of non-consumptive tour boats off of Ka'anapali beach out of business.

To pass this Bill will directly help 32 permitted Ka'anapali companies keep running while the EA is done. To shut down businesses who have been running legally and ethically (some for 4 decades) all of a sudden without any proof that any one of them has specifically done anything wrong is just completely unfair and frankly scary. This is a unintended consequence of the current HEPA process, intended to stop consumptive activities, e.g. aquarium collection activities.

If not stopped, what is happening in Ka'anapali will set a precedent for every harbor, beach, park, special management area, etc. in the state. If this same very vocal anti-tourism minority group that is suing the Ka'anapali and Mala permits (and they are the same people) get these businesses shut down without one piece of proof offered up, the rest of the state may find themselves in the same position.

Recommendation:

Add exceptions to Hawaii Environmental Policy Act (HEPA) for:

- Areas where commercial, permitted and government oversight exists,
- This exception is ONLY for non-consumptive permitted activities

Without this determination, over 230 families will directly be out work and countless other vendors which serves these businesses will also be impacted.

Mahalo for your time and consideration

HB-661-HD-1

Submitted on: 2/25/2025 3:06:57 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brody B Long	Individual	Support	Written Testimony Only

Comments:

Beyond the immediate impact to our valuable Ka'anapali and West Maui visitors and our employees and business many, many support operators and businesses will be crushed if this does not pass. With a tremendous reduction of activities, experience and things to do in Ka'anapali / West Maui literally thousands of vacationers and tourist may choose elsewhere and then they go away.

There are multiple points of further impact and collateral damage to other industries, jobs, livelihood, and commerce. These are important, however the human impact, as noted above remains a direct loss of hundreds ocean activity and boating related jobs, family upheaval, removal from schools, inability to afford staying on Maui and families then moving to the mainland. This all would be unacceptably tragic.

I'm asking you to please vote for and pass HBB661 HDI for the sake of our communities, families, business investments and small entrepreneurs that are the backbone of our economy.

HB-661-HD-1

Submitted on: 2/25/2025 3:07:47 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kyuin Yi	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am submitting this written testimony in **support of SB1074 SD1**, especially considering operation in Kaanapali. Given the options this would be the most prudent approach, allowing commercial activities that have spanned multiple decades providing economic benefits for Hawaii and showcases some of the unique wonders of this place with visitors and residents alike, to continue while an environmental study is completed. Also consider the ramifications if there was a wholesale pause of use permits and future findings of objective environmental reviews deemed that the current management and usage of Ka'anapali were not harmful.

I acknowledge that I do not have all of the available information but there does not appear to be evidence of harmful environmental impact through these ocean operations, and there seems to be other regulations, imposed or voluntary, that operators abide by in order to secure the future of a healthy natural that it relies on. Please allow permits to be renewed while environmental studies are conducted.

And lastly, if there are bad actors out there, deal with them individually and appropriately, but do not penalize others indiscriminately.

Respectfully,

Kyu Yi (resident of West Maui, born and raised Hawaii, and proudly employed in hospitality)

HB-661-HD-1

Submitted on: 2/25/2025 3:12:56 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ed Sultan	Individual	Support	Written Testimony Only

Comments:

TESTIMONY IN SUPPORT of HB#661 – Environmental Review - REGARDING THE IMPACT OF RESTRICTING BEACH CATAMARAN OPERATIONS IN WEST MAUI

Aloha Chair and Members of the Committee,

I strongly support **HB#661** and urge you to consider the significant consequences of restricting beach catamaran operations in West Maui.

I am testifying today as a concerned business owner and employer in West Maui. Our company employs approximately 35 people on Maui, many of whom depend—directly and indirectly—on the continued operation of beach catamarans and ocean recreation activities to support themselves and their families.

As we continue the difficult road to recovery following the devastating fires, Maui’s tourism industry remains fragile. Any further restrictions on key visitor experiences—such as catamaran excursions—would be another devastating setback for local businesses, workers, and the broader community.

It is important to recognize that Maui’s ocean and beach activities are **part of what makes a Maui vacation so special**. For generations, visitors have come to Maui not just for its natural beauty, but for the unique, small-scale ocean experiences that local businesses provide. Shutting down these businesses **takes away a piece of what makes Maui extraordinary**—a piece that cannot simply be replaced.

Beyond the loss to visitors, shutting down these activities would trigger **a devastating domino effect across multiple industries**:

- Hotels and accommodations will struggle even more with occupancy as guests reconsider visiting Maui.
- Restaurants and shops will see decreased visitor spending, leading to further layoffs and closures.
- Tour operators, transportation providers, mechanics, and food suppliers who serve these businesses will face revenue losses, job cuts, and possible shutdowns.

- State and county tax revenue from these operations will decline, further straining recovery efforts.

Maui's residents and businesses have worked tirelessly to rebuild in the wake of disaster. We **cannot afford** to lose even more jobs and economic activity due to regulatory decisions that fail to consider the broader consequences. I urge you to allow these ocean recreation activities to **remain operational** while any necessary environmental reviews take place—rather than implementing immediate shutdowns that will lead to financial ruin for so many.

Maui's future depends on **policies that balance environmental conservation with economic sustainability**. We must protect our natural resources while also ensuring that our workers, families, and businesses have a path forward.

Mahalo for your time and consideration.

Na Hoku, Inc.
Ed Sultan
CEO

HB-661-HD-1

Submitted on: 2/25/2025 3:15:23 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nicole LeClaire	Individual	Oppose	Written Testimony Only

Comments:

This is NOT good for our ocean or the fish!!!

I strongly oppose!!!!

HB-661-HD-1

Submitted on: 2/25/2025 3:15:56 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James Silva	Individual	Support	Written Testimony Only

Comments:

I am in strong support of HB661 to allow fishing if EIS has to be done.

HB-661-HD-1

Submitted on: 2/25/2025 3:22:03 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Teresa Landreau	Individual	Oppose	Written Testimony Only

Comments:

Please oppose and defeat this bill in order to prevent its use to allow ongoing extraction of Hawaiian ocean life while legal appeals, reviews ,etc., may be pending. We must protect the little left of our precious reef life.

Mahalo and aloha for taking an active role in protecting our dwindling sea life.

HB-661-HD-1

Submitted on: 2/25/2025 3:24:04 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Joe Culbertson	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill as it is poorly written. As written, there are loopholes which WILL lead to the Aquarium Trade's abuse and and subsequent loss of our fragile marine ecosystem.

Please protect our Hawaiian environment for future generations.

HB-661-HD-1

Submitted on: 2/25/2025 3:31:45 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Adam Campbell	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am submitting this testimony in strong support of HB661, HD1.

West Maui’s small businesses, particularly those operating in Ka’anapali, are being unfairly caught up in a broader environmental issue—one that now threatens the livelihood of dozens of locally owned businesses and hundreds of West Maui families who rely on them. These businesses have long operated in full compliance with stringent regulations set by both the U.S. Coast Guard and the State of Hawai‘i, ensuring safe and responsible ocean activities.

While protecting our environment is critical, we must also ensure that local businesses and working families are not collateral damage in the process. HB661 provides a commonsense solution—allowing businesses that are already compliant with existing laws and regulations to continue operating while environmental assessments are completed. This approach achieves two critical goals:

1. Safeguarding the environment through proper assessments and planning.
2. Protecting local jobs and families who have already suffered immense economic hardship following the devastating wildfires.

West Maui cannot afford to lose more businesses and jobs due to unnecessary bureaucratic delays. This bill strikes a fair balance between environmental stewardship and economic stability. I strongly urge you to pass HB661 to protect our local businesses, preserve West Maui families’ livelihoods, and ensure that responsible operators can continue serving our community.

Aloha,

Adam Campbell

HB-661-HD-1

Submitted on: 2/25/2025 3:34:05 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mark okeefe	Individual	Support	Written Testimony Only

Comments:

HB661 HD1 was introduced to support Ka'anapali operators facing shutdown. This bill allows operators to remain open for business while an environmental review is conducted. If not approved, it would shut them down completely and put business owners and employees in a very challenging position of neither earning an income nor contributing to the local economy. There have been meaningful investments made by business owners in equipment and training that would unfairly be taken away, even if only for a short period. This bill ensures that operators that followed all State regulations can continue their livelihood while an investigation is undertaken.

If long-standing permit holders who have complied with all State guidelines and regulations are forced to shut down during environmental reviews, we will lose experienced operators and business leaders. Please save these valuable local jobs and reputable businesses.

HB-661-HD-1

Submitted on: 2/25/2025 3:34:48 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James E. Simmons	Individual	Support	Written Testimony Only

Comments: Aloha nui kakou, I strongly support HB661. HB611 allows previously permitted activities to continue operating while undergoing environmental review if permits are challenged. This is critical for ensuring regulatory stability and preventing unnecessary interruptions for compliant businesses. Forcing lawfully permitted operators to shut down for years while spending hundreds of thousands of dollars to conduct environmental studies will inevitably lead to the closure of local businesses and the loss of jobs for a vast amount of people. The last thing the people of Maui need is a loss of money. Many are still recuperating from the loss of their homes, businesses, and more after the devastating wildfires in Lahaina on August 8, 2023. Please do not shut down the vessels operations, for hundreds and thousands of the people of Maui depend on these activities for our livelihoods. Please pass HB611 and support our local families and businesses. Mahalo nui loa for considering my testimony. James E. Simmons

HB-661-HD-1

Submitted on: 2/25/2025 3:36:47 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kiaora Bohlool	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am submitting this testimony to support HB661, HD1.

I am a small business on Maui that supports other small businesses on Maui through video marketing and social media. I believe that the visitor industry is a vital contributor to our economy, and I support businesses that act with responsibility and respect for our ‘āina and our people.

Maui’s small businesses have been hit hard over the last five years, those across West Maui in particular since August 2023 (we all know why). I would hate to see those in Kā’anapali get hit even harder by having to shut down operations during the Environmental Impact Study. This would severely impact many Maui workers who are just trying to support their families.

I’ve seen firsthand how responsible these businesses are in their operations, maintaining full compliance with strict regulations the U.S. Coast Guard and the State of Hawai‘i to ensure safe operations and ocean activities for both passengers and crew.

While protecting our environment is critical, we must also ensure that local businesses and working families are not collateral damage in the process.

I believe strongly in environmental care and oversight; I want to see our marine life, oceans and reefs given the care and attention they deserve, but I believe that responsible businesses and people in Kā’anapali should not have to suffer more economic hardship during this process. I feel HB661 offers a commonsense solution—allowing businesses that are already compliant with existing laws and regulations to continue operating while EIS assessments are completed, striking a fair balance between environmental stewardship and economic stability.

I strongly urge you to pass HB661 to protect our local businesses, preserve West Maui families’ livelihoods and ensure that responsible operators can continue serving our community.

Mahalo for your time and consideration!

Kiaora Bohlool

Owner, Maui Video & Marketing

HB-661-HD-1

Submitted on: 2/25/2025 3:39:17 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
CAROLINE LANDRY	Individual	Oppose	Written Testimony Only

Comments:

Dear distinguished representatives:

This bill will allow potentially destructive activities to **continue** during any required environmental review. This is wrong, as irreparable damage can happen during that undetermined period of time. The reason for the review in the first place is to determine if there will be damage, so it does not make sense to have it as hoc.

Our environment is already under stress with climate change and overtourism. We need to do all we can to protect our coral, our fishes, our forests... all that make Hawai'i the wonderful place that we cherish.

Mahalo,

Caroline Landry

HB-661-HD-1

Submitted on: 2/25/2025 3:42:31 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Liahona Kaniho	Individual	Support	Written Testimony Only

Comments:

I fully support this bill

HB-661-HD-1

Submitted on: 2/25/2025 3:45:41 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sierra Galloway	Individual	Support	Written Testimony Only

Comments:

Support of HB661

Submitted by: Sierra Galloway

Date: 2.25.25

Dear Chair, Vice Chair, and Members of the Committee,

I am writing in strong support of HB661, which plays a critical role in protecting and improving the livelihoods of workers like myself who rely on Hawaii’s tourism industry. As someone who works directly with visitors, I see firsthand the importance of ensuring that Hawaii’s workforce is fairly supported, compensated, and provided with opportunities for long-term stability.

Tourism is the foundation of our local economy, and while it brings economic benefits, it is essential that we prioritize the well-being of the employees who make Hawaii’s visitor experience exceptional. HB661 ensures that workers in the tourism and hospitality sectors have access to fair wages, job security, and protections that allow us to continue serving our communities while providing for our families.

This bill is not just about business—it is about the people who make Hawaii’s tourism industry thrive. Strengthening workforce protections and fair labor practices will help retain skilled employees, improve guest experiences, and sustain the integrity of our economy. Without these safeguards, many of us risk job instability and financial hardship.

I urge you to pass HB661 and show your commitment to supporting Hawaii’s workforce. Thank you for your time and consideration.

Sincerely,
Sierra Galloway

HB-661-HD-1

Submitted on: 2/25/2025 3:48:46 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
agustin Martinez	Individual	Support	Written Testimony Only

Comments:

Submitted by: Agustine

Date: Feb 25 2025

Dear Chair, Vice Chair, and Members of the Committee,

I am writing in strong support of HB661 because, as a worker in Hawaii’s tourism industry, I know how important it is to have fair wages, job security, and protections that allow us to support our families. Tourism is the backbone of our economy, but the workers who make it all possible often struggle to make ends meet.

Every day, I work hard to provide visitors with an unforgettable experience in Hawaii. I take pride in what I do, but without fair policies in place, workers like me face job instability, low wages, and uncertain futures. HB661 helps ensure that those of us on the frontlines of Hawaii’s tourism industry are treated fairly and can continue to live and work in the place we call home.

This bill isn’t just about business—it’s about the people who make Hawaii’s tourism industry successful. By supporting HB661, you are supporting the hardworking individuals who greet guests, provide services, and keep our tourism industry thriving. I urge you to pass this bill and stand with the workers who make Hawaii’s economy strong.

Mahalo for your time and consideration.

Sincerely,
Agustine

HB-661-HD-1

Submitted on: 2/25/2025 3:49:35 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James Reynolds	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am submitting this testimony in strong support of HB661, HD1.

The continued safety of the ocean waters surrounding Maui is of utmost importance to not only me and my coworkers, but of everyone on this island. The charter boat companies have always followed all guidelines and regulations as set before them. They have operated like this for decades. I don't understand why now we would completely shut down those business, and all supporting companies to determine what effect these businesses have had on the waters when we could easily have an environmental assessment proceed while the businesses continue to operate as they have in the past.

The great cost of not passing this bill would be the immediate impact it would have on hundreds if not thousands of local workers trying to recover from the last big economic blow. The pandemic, then the fire, and now they would like to take from us what we have fought so hard to keep. It seems like any opposition to this bill being passed is nothing more than pushing someone over that is struggling to get back on their feet.

I strongly support this bill. It keeps everyone on their feet AND also lets the people of Maui understand the impacts we are having on the local waters and wildlife. Everyone gets what they want. It only makes sense.

Mahalo for your time,

James Reynolds

HB-661-HD-1

Submitted on: 2/25/2025 3:50:03 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
zayden Phillips-Kwon	Individual	Support	Written Testimony Only

Comments:

I support passing this measure to keep jobs in Ka'anapali

Zayden Phillips-Kwon

HB-661-HD-1

Submitted on: 2/25/2025 3:54:03 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tyler Larronde	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is Tyler Larronde, and I am the manager of Kaanapali Surf Club here on Maui. I am writing to express my strong support for HB661. This bill offers a balanced approach to protecting our environment while allowing local businesses like ours to continue operating and providing for our employees.

If this bill is not passed, we will be forced to shut down, and our instructors—many of whom are local residents—will lose their jobs. These instructors depend on their work to support their families, and losing these jobs would be a devastating blow, especially after the hardships our community has already faced from the August 2023 Lahaina fires.

Our instructors are dedicated, hardworking individuals who rely on their positions to provide for their families, pay bills, and contribute to the local economy. Taking away their livelihoods would add further hardship to those who have already been struggling to rebuild.

Please support HB661 to help preserve jobs, support local families, and allow us to continue our work as we recover from the challenges of the past year.

Thank you for your time and consideration.

Mahalo,

Tyler Larronde

Manager, Kaanapali Surf Club

HB-661-HD-1

Submitted on: 2/25/2025 3:58:23 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
randy welch	Individual	Support	Written Testimony Only

Comments:

Testimony in Support of HB 661 - Relating to Environmental Review

Aloha,

My name is Randy Welch, and I am a surf instructor at Kaanapali Surf Club here at Ka'anapali beach. I am writing to strongly support HB 661. As a surf instructor, my job is essential for supporting my family. If this bill isn't passed, many of us, including myself, will lose our livelihoods. This would be incredibly hard, especially after the already significant challenges we've faced from the August 2023 Lahaina fires.

Local businesses like Kaanapali Surf Club help drive the economy and provide jobs for dozens of local families. Shutting down our operations would only make it harder for families like mine to rebuild and move forward. HB 661 gives us the opportunity to continue our work while also respecting the environment, creating a fair pathway for all parties involved.

I respectfully ask for your support in passing HB 661 so that we can continue providing jobs and contributing to the recovery of our community.

Thank you for your time and consideration.

Mahalo,
Randy Welch

HB-661-HD-1

Submitted on: 2/25/2025 3:58:50 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sharon Gonsalves	Individual	Support	Written Testimony Only

Comments:

Submitted by: Sharon Gonsalves

Date: Feb 25 2025

Dear Chair, Vice Chair, and Members of the Committee,

My name is Sharon, and I am a single mother living and working in Maui’s tourism industry. I am writing in strong support of HB661 because this bill directly impacts my ability—and the ability of so many other hardworking parents—to provide for our families.

Tourism is the foundation of our economy, and for people like me, it is more than just a job—it is how we survive. Every day, I work long hours to give visitors an amazing experience in Hawaii, whether it’s setting up for a day at the beach, assisting guests, or ensuring they have everything they need. I take pride in my work, but it’s not always easy to balance my job with raising a child on my own.

Fair wages, job stability, and strong worker protections are crucial for single parents like me who depend on this industry. Without policies like HB661, too many of us are left vulnerable to financial hardship, unpredictable schedules, and the rising cost of living. This bill would help ensure that tourism workers—many of whom are parents trying to support their children—are given the security and fairness we deserve.

I urge you to pass HB661 so that families like mine can continue to live and thrive here in Hawaii. Our work keeps the tourism industry running, and we need support to keep providing for our children and our future.

Mahalo for your time and consideration.

Sincerely,
Sharon Gonzalves

HB-661-HD-1

Submitted on: 2/25/2025 3:59:43 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rodolfo Garcia	Individual	Support	Written Testimony Only

Comments:

I support this bill.

HB-661-HD-1

Submitted on: 2/25/2025 4:03:30 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Philip Fernandez	Individual	Support	Written Testimony Only

Comments:

I am in strong support of HB661 HD1.

This bill simply allows a permittee or licensee continue the activity until an EIS is completed. This bill does not exempt the commercial operator from the EIS. This allows the commercial operator to continue to generate revenue for the owner and workers while an EIS is being prepared. It is fair to allow the business to continue.

Please support HB661 HD1.

Thank you.

HB-661-HD-1

Submitted on: 2/25/2025 4:07:31 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lucienne de Naie	Individual	Oppose	Written Testimony Only

Comments:

Dear Chiar Tarnas and Vice-Chair Poepoe and Committee members

As a long time resident of Maui I am in strong opposition to this bill. It has the potential to allow activities that have been using loopholes in our environmental laws to continue- at the cost of degrading the common natural resources we all share. We need sound policies to manage our natural resources. Please do not support this bill in its current form.

Mahalo nui

Lucienne de Naie

Huelo, Maui

HB-661-HD-1

Submitted on: 2/25/2025 4:09:06 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
rasheem Carter	Individual	Support	Written Testimony Only

Comments:

Testimony in Strong Support of HB661

Submitted by: Rasheem Carter

Dear Chair, Vice Chair, and Members of the Committee,

My name is Rasheem, and I am writing in strong support of HB661 because this bill directly affects workers like me who rely on tourism to support our families. As the sole provider for my household, my job in the tourism industry is not just a paycheck—it is the foundation of my family’s stability and future.

Hawaii’s economy depends on tourism, and so do the thousands of local workers who keep this industry running. Every day, I put in the hard work to ensure that visitors have an incredible experience, whether it’s assisting them on the beach, making sure they have the right accommodations, or providing excellent service. But despite our dedication, too many of us struggle with job insecurity, unpredictable schedules, and the rising cost of living.

HB661 is critical for ensuring that workers like me have the protections, stability, and fair compensation we need to continue supporting our families. Without these safeguards, the very people who make Hawaii’s tourism industry successful will be left behind.

I urge you to pass HB661 and stand with the hardworking individuals who are the backbone of Hawaii’s economy. This bill is an investment in our workers, our families, and our community’s future.

Mahalo for your time and consideration.

Sincerely,
Rasheem Carter
Beach and Pool Attendant

HB-661-HD-1

Submitted on: 2/25/2025 4:09:50 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Amy Dewbre	Individual	Support	Written Testimony Only

Comments:

I am Amy Dewbre and I strongly support HB661.

Lahaina and West Maui have already endured so many hardships. Please support us while we continue to recover.

This bill allows previously permitted activities to continue operating while undergoing environmental review if permits are challenged.

This bill strikes a fair balance between protecting Hawaii's natural resources while supporting long-standing, and well regulated ocean activities operations.

My employment and ability to provide for my family are completely dependent on the passing of this bill.

Mahalo for considering my testimony,

Amy Dewbre

HB-661-HD-1

Submitted on: 2/25/2025 4:10:03 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jaime Campbell	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am submitting this testimony in strong support of HB661, HD1. West Maui’s small businesses, particularly those operating in Ka’anapali, are being unfairly caught up in a broader environmental issue—one that now threatens the livelihood of dozens of locally owned businesses and hundreds of West Maui families who rely on them. These businesses have long operated in full compliance with stringent regulations set by both the U.S. Coast Guard and the State of Hawai‘i, ensuring safe and responsible ocean activities. While protecting our environment is critical, we must also ensure that local businesses and working families are not collateral damage in the process. HB661 provides a commonsense solution—allowing businesses that are already compliant with existing laws and regulations to continue operating while environmental assessments are completed. This approach achieves two critical goals:

1. Safeguarding the environment through proper assessments and planning.
2. Protecting local jobs and families who have already suffered immense economic hardship following the devastating wildfires.

West Maui cannot afford to lose more businesses and jobs due to unnecessary bureaucratic delays. This bill strikes a fair balance between environmental stewardship and economic stability. I strongly urge you to pass HB661 to protect our local businesses, preserve West Maui families’ livelihoods, and ensure that responsible operators can continue serving our community.

Mahalo for your time and consideration.

Kind regards,

Jaime Campbell

HB-661-HD-1

Submitted on: 2/25/2025 4:10:54 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sarah Moretti	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I, Sarah Moretti am writing to express my strong support for HB661, HD1.

Small businesses in West Maui, especially those in Ka'anapali, are facing unfair challenges due to a broader environmental issue that threatens their survival. These businesses, which are crucial to the local economy, are caught in a situation that now endangers the livelihoods of many locally owned businesses and the hundreds of families who depend on them, including myself. These businesses have always adhered to strict regulations set by both the U.S. Coast Guard and the State of Hawai'i, ensuring that their operations remain safe and environmentally responsible.

While it is essential to protect our environment, we must also make sure that local businesses and the families that rely on them are not negatively impacted by these efforts. HB661 offers a practical solution by allowing businesses that are already in compliance with current regulations to continue their operations while environmental assessments are being completed.

This bill achieves two important objectives:

1. Protecting the environment through necessary assessments and planning.
2. Preserving local jobs and supporting families who have already been hit hard by the recent wildfires.

West Maui cannot afford to lose more businesses and jobs due to unnecessary delays. HB661 strikes an important balance between protecting the environment and ensuring the stability of our local economy. I strongly urge you to pass this bill to support our businesses, protect the livelihoods of West Maui families, and allow responsible operators to continue serving the community.

Thank you for your time and consideration.

HB-661-HD-1

Submitted on: 2/25/2025 4:11:19 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jason Campbell	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am submitting this testimony in strong support of HB661, HD1. West Maui’s small businesses, particularly those operating in Ka’anapali, are being unfairly caught up in a broader environmental issue—one that now threatens the livelihood of dozens of locally owned businesses and hundreds of West Maui families who rely on them. These businesses have long operated in full compliance with stringent regulations set by both the U.S. Coast Guard and the State of Hawai‘i, ensuring safe and responsible ocean activities. While protecting our environment is critical, we must also ensure that local businesses and working families are not collateral damage in the process. HB661 provides a commonsense solution—allowing businesses that are already compliant with existing laws and regulations to continue operating while environmental assessments are completed. This approach achieves two critical goals:

1. Safeguarding the environment through proper assessments and planning.
2. Protecting local jobs and families who have already suffered immense economic hardship following the devastating wildfires.

West Maui cannot afford to lose more businesses and jobs due to unnecessary bureaucratic delays. This bill strikes a fair balance between environmental stewardship and economic stability. I strongly urge you to pass HB661 to protect our local businesses, preserve West Maui families’ livelihoods, and ensure that responsible operators can continue serving our community.

Mahalo for your time and consideration.

Sincerely,

Jason Campbell

HB-661-HD-1

Submitted on: 2/25/2025 4:13:25 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sarah Jones	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am submitting this testimony in strong support of HB661, HD1.

West Maui’s small businesses, particularly those operating in Ka’anapali, are being unfairly caught up in a broader environmental issue—one that now threatens the livelihood of dozens of locally owned businesses and hundreds of West Maui families who rely on them. These businesses have long operated in full compliance with stringent regulations set by both the U.S. Coast Guard and the State of Hawai‘i, ensuring safe and responsible ocean activities.

While protecting our environment is critical, we must also ensure that local businesses and working families are not collateral damage in the process. HB661 provides a commonsense solution—allowing businesses that are already compliant with existing laws and regulations to continue operating while environmental assessments are completed.

This approach achieves two critical goals:

1. Safeguarding the environment through proper assessments and planning.
2. Protecting local jobs and families who have already suffered immense economic hardship following the devastating wildfires.

West Maui cannot afford to lose more businesses and jobs due to unnecessary bureaucratic delays. This bill strikes a fair balance between environmental stewardship and economic stability. I strongly urge you to pass HB661 to protect our local businesses, preserve West Maui families’ livelihoods, and ensure that responsible operators can continue serving our community.

Mahalo for your time and consideration.

Sarah Jones

HB-661-HD-1

Submitted on: 2/25/2025 4:14:48 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kanani Racadio	Individual	Support	Written Testimony Only

Comments:

I'm Kanani and I support this bill. I work off that beach and need to support my family. Without this many will lose their jobs and some their businesses.

HB-661-HD-1

Submitted on: 2/25/2025 4:15:07 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Monique L LeBlanc	Individual	Support	Written Testimony Only

Comments:

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

DATE: Thursday February 27, 2025

TIME: 2:00 PM

Strongly Support HB661 WITH NOTED CHANGES

Aloha Chairs Tarnas and Vice Chair Poepoe and committee members,

My name is Monique LeBlanc I am a 37 year resident of Maui County. I strongly supports HB661 with noted changes below.

HB661 has been under opposition by those seeing this as a threat to HEPA, aka: Umberger Ruling regarding aquarium fishing. In no way is this Bill meant to undermine the Umberger Ruling. It's intention is to prevent the shut down of non-consumptive tour boats off of Ka'anapali beach out of business.

To pass this Bill will directly help 32 permitted Ka'anapali companies keep running while the EA is done. To shut down businesses who have been running legally and ethically (some for 4 decades) all of a sudden without any proof that any one of them has specifically done anything wrong is just completely unfair and frankly scary. This is a unintended consequence of the current HEPA process, intended to stop consumptive activities, e.g. aquarium collection activities.

If not stopped, what is happening in Ka'anapali will set a precedent for every harbor, beach, park, special management area, etc. in the state. If this same very vocal anti-tourism minority group that is suing the Ka'anapali and Mala permits (and they are the same people) get these businesses shut down without one piece of proof offered up, the rest of the state may find themselves in the same position.

Recommendation:

Add exceptions to Hawaii Environmental Policy Act (HEPA) for:

- Areas where commercial, permitted and government oversight exists, and these activities have been ongoing for over 30 years.
- This exception is ONLY for non-consumptive permitted activities

Without this determination, over 230 families will directly be out work and countless other vendors which serves these businesses will also be impacted.

Mahalo for your time and consideration

Monique LeBlanc

mauimo@hotmail.com

HB-661-HD-1

Submitted on: 2/25/2025 4:15:35 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Douglas Perrine	Individual	Oppose	Written Testimony Only

Comments:

This bill is unacceptable in its current form because it would allow harvesting of wildlife without environmental review. To correct this oversight I recommend changing the language of Sec343-2 from "...shall not include construction, grading, dredging or other structural modifications to land, to land, waterways or marine environments." to "...shall not include construction, grading, dredging or other structural modifications to land, to land, waterways or marine environments, or collection, harvesting, extraction, or killing of any natural resources or wildlife." In the absence of this clarifying language, HB661 should simply be killed. It is just too dangerous to our environment.

HB-661-HD-1

Submitted on: 2/25/2025 4:18:11 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kallye pali	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is Kallye, and I am writing in strong support of HB661 because this bill directly affects workers like me who rely on tourism to support our families. As the sole provider for my household, my job in the tourism industry is not just a paycheck—it is the foundation of my family’s future.

Please help us in Ka'anapali we have been through so much over the last few years.

HB-661-HD-1

Submitted on: 2/25/2025 4:26:42 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Vivian S. Toellner	Individual	Oppose	Written Testimony Only

Comments:

They ruined Paradise to put up a parking lot. If you would not do it on land for all to see, you should not do to the Ocean. We must preserve Hawai'i Natural Resources. Yes, that means limiting harmful activities. Just stop the removal of Hawaiian Reef fish for the Aquarium Trade. Far more money is made by keeping the fish here and charging to see alive and well here in their natural habitat. Please stop the blinking \$\$ dollar signs in peoples eyes...

Over and over for years, I have testified! why does this persistantly keep coming up?

What kind of force, money, evil ? is behind this? The agency that is suppose to protect is actually not wanting to protect. Please Save Hawai'i.

I strongly oppose SB1074, SD1, which would allow agencies to keep rubberstamping environmentally harmful activities (like commercial aquarium collection) until whenever the agencies may get around to actually looking at the impacts and doing anything about it. I am deeply concerned how this bill would affect Hawai'i's reefs and lawai'a pono practices.

- Commercial aquarium collectors have devastated reef ecosystems around O'ahu and Hawai'i Island, extracting hundreds of thousands of fish and invertebrates each year in hotspots including West Hawai'i and Kāne'ohē Bay. Collected species include lau'ipala (yellow tang), kole (goldring surgeonfish), pāku'iku'i (Achilles tang), among many other native and endemic species that are critical for maintaining healthy reefs and supporting Native Hawaiian subsistence fishing and cultural practices.

- **This reef life is sold and shipped in plastic bags to the continent and around the world to supply the global pet market for ornamental reef fish, instead of staying on the reefs to support ecosystem health and Native Hawaiian**

fishing practices that have been handed down for generations.

- Thanks to HEPA and recent court rulings, our reefs have finally gotten a break from unlimited aquarium extraction while the collectors and State look at environmental and cultural impacts, mitigation measures, and alternatives through the public environmental review process.

- **Please let HEPA do its job to inform agency decision-making beforehand, rather than handing industry a free pass to continue causing harm for years on end until they get around to completing the environmental review process. This bill would turn HEPA review into an afterthought and meaningless formality to justify harm that's already been done . . . and can't be undone.**

- **This bill would gut HEPA's whole purpose and is unnecessary. HEPA provides for exemptions of activities that have truly minor impacts. I strongly urge you to VOTE NO on SB1074, SD1.**

Most Sincerely, Vivian Toellner, Big Island

HB-661-HD-1

Submitted on: 2/25/2025 4:28:06 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Erik DeRyke	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am submitting this testimony in strong support of HB661, HD1.

West Maui’s small businesses, particularly those operating in Ka’anapali, are being unfairly caught up in a broader environmental issue—one that now threatens the livelihood of dozens of locally owned businesses and hundreds of West Maui families who rely on them. These businesses have long operated in full compliance with stringent regulations set by both the U.S. Coast Guard and the State of Hawai‘i, ensuring safe and responsible ocean activities.

While protecting our environment is critical, we must also ensure that local businesses and working families are not collateral damage in the process. HB661 provides a commonsense solution—allowing businesses that are already compliant with existing laws and regulations to continue operating while environmental assessments are completed. This approach achieves two critical goals:

1. Safeguarding the environment through proper assessments and planning.
2. Protecting local jobs and families who have already suffered immense economic hardship following the devastating wildfires.

West Maui cannot afford to lose more businesses and jobs due to unnecessary bureaucratic delays. This bill strikes a fair balance between environmental stewardship and economic stability. I strongly urge you to pass HB661 to protect our local businesses, preserve West Maui families’ livelihoods, and ensure that responsible operators can continue serving our community.

Mahalo for your consideration.

HB-661-HD-1

Submitted on: 2/25/2025 4:33:30 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cody Young	Individual	Support	Written Testimony Only

Comments:

Aloha,

I'm Cody Young, a surf instructor at Kaanapali Surf Club on Maui. I'm writing to express my strong support for HB 661, a bill that ensures we protect Maui's environment without jeopardizing local jobs and businesses like mine.

I've been teaching surfing for years, Unfortunately, if HB 661 doesn't pass, many local surf instructors, including myself, will lose our jobs. This would be a major setback, especially after the devastation of the Lahaina fires in August 2023. Our community is already struggling, and removing local jobs would make it even harder to recover.

I urge you to pass HB 661, so businesses like ours can continue to operate, local workers can keep their jobs, and Maui's recovery can move forward. We need a fair and balanced approach to protecting both the environment and our livelihoods.

Mahalo for your time and consideration.

Sincerely,

Cody Young

Surf Instructor, Kaanapali Surf Club

HB-661-HD-1

Submitted on: 2/25/2025 4:39:58 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Levi young	Individual	Support	Written Testimony Only

Comments:

Aloha,

I'm Levi Young, a surf instructor at Kaanapali Surf Club, and I'm writing today to express my strong support for HB 661. This bill strikes an important balance between safeguarding Maui's environment and preserving jobs for local workers like myself.

I ask for your support in passing HB 661 so that local businesses can stay open, Maui's economy can continue to thrive, and families like mine can continue to support each other and rebuild.

Thank you for your consideration.

Mahalo,

Levi Young

Surf Instructor, Kaanapali Surf Club

HB-661-HD-1

Submitted on: 2/25/2025 4:42:46 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Judith Cucco	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I **strongly oppose HB 661 HD1**, which would amend the Hawai'i Environmental Policy Act (HEPA), to allow activities previously “undertaken by an applicant” to continue, while still pending environmental review, even if causing irreversible environmental damage and challenged under HEPA.

This bill would severely undermine core protections for Native Hawaiian rights and Hawai'i's foundational environmental law, potentially leading to substantial, irreversible environmental and cultural harm.

Stopping an activity from proceeding during HEPA review is a fundamental principle of the law and ensures that precious public and cultural resources are not destroyed before the public has input and “environmental concerns are given appropriate consideration in decision making.” (HRS. 343).

HB-661-HD-1

Submitted on: 2/25/2025 4:44:03 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
anita wintner	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I live on Maui and can't believe there is another bill HB661 scheduled to get rid of HEPA..I strongly oppose this bill. Continue with the HEPA so you can see how dangerous the Aquarium trade is for our reefs and future generations. Tourism is such a big part of the states revenue. People love and need to see healthy reefs. We have so many challenges to keep them this way and we need the fish to keep reefs healthy. Do Not support this bill. Anita Wintner

HB-661-HD-1

Submitted on: 2/25/2025 4:44:05 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
kawika regidor	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is Kawika Regidor, and I am a surf instructor at Kaanapali Surf Club. I am writing to express my strong support for HB 661.

Kaanapali Surf Club is a key part of Maui's economy, and we depend on these jobs to support our families. Please support HB 661 so we can continue working and help rebuild our community.

Thank you for your time and consideration.

Mahalo,

Kawika Regidor

HB-661-HD-1

Submitted on: 2/25/2025 4:44:36 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Wendy Music	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am submitting this testimony in strong support of HB661 HD1.

My name is Wendy Music. I've been a Maui resident since 1986.

Many individuals, families and business will be impacted in harsh way if HB661 is not approved.

We are still trying to recover, emotionally and financially from Covid and the Lahaina fire. The thought of loosing our lively hood, once again, is devastating and depressing.

Not only will many of us loose our only form of income but we will loose our medical insurance as well. Trust me you cannot afford Cobra on unemployment. You really can't pay "Maui" type bills on unemployment.

I am begging, imploring, pleading with you kind and resonable people, to allow businesses that are already compliant with existing laws and regulations to continue to operate while the environmental assessments are completed.

These business have legal permits. Pay taxes. Employee local people. Take care of our visitors. Several of these business have been operating legally for in excess of 30 years.

The environmental assessments are very important. We love and want to protect our environment and our livelyhood.

I strongly urge you to pass HB661

Mahalo for your time,

Wendy

HB-661-HD-1

Submitted on: 2/25/2025 4:45:12 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Caroline Azelski	Individual	Oppose	Written Testimony Only

Comments:

Oppose. Potentially harmful activities could go on for years or indefinitely since there are no time constraints on preparing or completing environmental studies.

Thank you.

HB-661-HD-1

Submitted on: 2/25/2025 4:46:44 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ezra offergeld	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is Ezra Offergeld, and I am a surf instructor at Kaanapali Surf Club. I was born and raised in Lahaina, and I am writing to express my strong support for HB 661.

This bill is vital for both preserving Maui’s environment and ensuring that local businesses, like ours, can continue to operate and provide jobs. As a surf instructor, my livelihood depends on this work, and it supports my family. If HB 661 does not pass, many of us, myself included, will lose our jobs. This would be a devastating blow, especially as we are still trying to rebuild after the August 2023 Lahaina fires.

Kaanapali Surf Club has been a staple in the community, and the jobs we provide are crucial for local families. Losing these positions would only add to the hardships we’ve already faced.

Please support HB 661 so that we can keep working, continue supporting our families, and contribute to the recovery of our beloved Lahaina and Maui.

Thank you for your time and consideration.

Mahalo,

Ezra Offergeld

Surf Instructor, Kaanapali Surf Club

HB-661-HD-1

Submitted on: 2/25/2025 4:50:57 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
travis waipa	Individual	Support	Written Testimony Only

Comments:

Testimony in Support of HB 661 - Relating to Environmental Review

Aloha,

My name is Travis Waipa, and I work as a desk worker at Kaanapali Surf Club here on Maui. I am writing to express my strong support for HB 661, which will help protect both our environment and the jobs that local families, like mine, rely on.

Please support HB 661 so we can continue to work, support our families, and help Maui recover.

Thank you for your time and consideration.

Mahalo,

Travis Waipa

Desk Worker, Kaanapali Surf Club

HB-661-HD-1

Submitted on: 2/25/2025 4:51:01 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James Wadsworth	Individual	Support	Written Testimony Only

Comments:

My name is James Wadsworth and I strongly support SB1074.

As a resident I have sailed on the waters all around Maui for the past 3 decades and have worked in West Maui for most of that time as well, we have already endured so many hardships. Please support us while we continue to recover from both the pandemic and the fires by passing SB1074.

I am for the environment and SB1074 simply allows our Ka'anapali employees to continue earning a living while undergoing any required environmental reviews if permits are challenged. Beach landing catamarans and the boats using the surrounding ocean is a key part of tourism and quite honestly does nothing environmentally compared to the land construction, vehicle traffic, golf courses and cemented hardscape on land producing run off hazards and pollution. The only thing shutting these boat operations does is limit viable jobs for locals.

James Wadsworth

HB-661-HD-1

Submitted on: 2/25/2025 4:56:04 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Keoni Shizuma	Individual	Oppose	Written Testimony Only

Comments:

Aloha members of the House Committee on Judiciary and Hawaiian Affairs,

I am testifying in opposition to HB661.

This would allow harmful but previously authorized activities to continue, without further consideration of environmental, cultural, and social impacts. This is a major issue. We must work to improve our conditions, become better at caring for our environment, and this bill would NOT do this.

This bill would allow for harmful activities that are depleting our resources, harming our environment, and poisoning our land to continue, without environmental review. As laws are created to better improve our interactions with our environment, we need companies and people to shift their practices for the betterment of our future.

As we further our understanding of our environment and create laws and regulations that support the continued survival of our resources and ecosystems, those who are harming our environment shall be required to stop activities immediately. Mistakes of the past, including permitting activities that was previously understood as not harmful, must be corrected in a timely manner. This bill goes against this and is unacceptable. I understand that it can be difficult to shift business practices when new laws or regulations are passed, but if it's for the betterment of our environment, all businesses should be required to abide by the new regulations immediately..

I urge you to oppose HB661.

Mahalo for your consideration,
Keoni Shizuma, Kaneohe, Oahu

HB-661-HD-1

Submitted on: 2/25/2025 5:00:43 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Christopher Z Resich	Individual	Support	Written Testimony Only

Comments:

Aloha,

I, Christopher Z Resich, am in support of HB661.

As I understand, passing this Bill will allow tour operators in the Kaanapali/Lahaina area to continue to operate while an environmental study is conducted. I am in full support of protecting natural environment in Hawaii but I also support allowing existing, permitted operators to continue doing business until the study is completed. At that point, if any changes are required, appropriate adjustments can be made in due course.

If operators are forced to terminate their operations during the environmental study, this would put them out of business and dramatically impact their families, employees and suppliers. The negative financial impact to the County and State would be in millions of dollars. In addition, the loss of popular, desirable and quality tour product would negatively impact visitor experience in West Maui which needs as much help as it can get while recovering from Lahaina fires.

I urge you to pass HB661 at minimum as it applies to Kaanapali ORMA permit operators.

Mahalo for considering my testimony.

Christopher Z Resich

HB-661-HD-1

Submitted on: 2/25/2025 5:05:44 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Teri Larronde	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is Teri Larronde, and I am the mother of Tyler Larronde, the manager at Kaanapali Surf Club. I am writing in strong support of HB 661, as this bill is critical for the well-being of families like mine who depend on the surf school for their livelihood.

Tyler has always worked hard to provide for our family, and his job at Kaanapali Surf Club is how he supports not only himself but his loved ones as well. If this bill is not passed, Kaanapali Surf Club, and many other local businesses, would be forced to shut down, leaving hardworking people like Tyler without a job. This would be devastating for us as a family, especially after everything our community has already gone through with the Lahaina fires.

Thank you for your time and consideration.

Mahalo,

Teri Larronde

HB-661-HD-1

Submitted on: 2/25/2025 5:07:45 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James Kemper	Individual	Support	Written Testimony Only

Comments:

Testimony in Support of HB 661 - Relating to Environmental Review

Aloha,

My name is James, and I am a surf instructor at Kaanapali Surf Club. I am writing to express my strong support for HB 661, as it is vital for both the environment and the livelihoods of people like me who depend on this job to support our families.

As a surf instructor, the work I do is essential not only to my own well-being but also to the community. If HB 661 is not passed, many of us, including myself, will lose our jobs. This would be incredibly difficult, especially after the challenges Maui has faced, including the August 2023 Lahaina fires.

Kaanapali Surf Club provides a steady income for many local families, and losing this source of income would be devastating for us. It's not just about the work; it's about being able to continue contributing to the community and supporting my family during a time when we are still trying to recover from so many challenges.

I urge you to support HB 661 so that we can continue providing jobs, supporting our families, and doing our part in helping Maui recover.

Thank you for your time and consideration.

Mahalo,
James

HB-661-HD-1

Submitted on: 2/25/2025 5:10:10 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nicholas W Kuhns	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I, Nicholas Kuhns am in *support of HB#661*

Upon writing this today Maui and Lahaina / Ka’anapali remain in critical condition. Recovery for us following the horrendous fires as residents, employees and businesspeople has been at a snail’s pace that does not seem to be moving forward with any real pace now or for the foreseeable future. Hotels, tourism and the businesses related to the hospitality industry are struggling to regain any level of occupancy and productivity. Exacerbating this by any measure to remove, eliminate or further take away business or activities for our guests to participate in while staying in Ka’anapali or West Maui seems unconscionable. Due to a position taken recently by Judge Cahill “*ALL*” *businesses in Kaanapali for ocean recreation, boating and watersports will cease to exist once their current permits expire* and remain closed until an environmental assessment is conducted. This is untenable and would immediately bankrupt and force 27 professional operations to close. Again, this is beyond thinkable and puts 260 families out onto the street! In fact, it seems like those of us in the boating and ocean recreation industry have been unreasonably caught up as “*collateral damage*” with other ongoing conservation and environmental related challenges elsewhere. The Ka’anapali ORMA permit holders and ocean recreation operators provide a service and experience without the taking, harvesting, gathering or any potential negative impact to natural resources. Simply hosting a guest on a sunset or whale watch sail or offering a surfing lesson or even outrigger canoe ride is vastly different than other challenges the State may have. This Bill was created and submitted to recognize and help the Ka’anapali operators with pending full closure and aid those operators as they attempt to yet again recover from disaster. Please do not punish longstanding, professional operators that in many cases have been safely and respectfully operating in Ka’anapali for nearly two generations.

My interpretation of HB#661 is that it provides for an operator to go forward and continue with their operations and services during the process of an environmental review. Services as permitted would be allowed to continue everything for operations as is normal circumstance if / when permits are challenged for environmental or other concerns. Having this continuation of services is very important as it allows the operator to remain in business and continue until or if reviews show that for any reason operations should be stopped. If narrowing this Bill to apply to Ka’anapali ORMA permit operators as was the intention assist in moving forward towards approval that would be fully acceptable.

If long standing permit holders that have operated within all guidelines and followed all regulations are put into a position whereby, they need to fully cease all activities of their business during environmental reviews then we will lose strong, dependable operators and punish them for following and abiding by all State mandated guidelines. Once they close history shows, and practical understanding reflects *that they are not coming back!* We should not lose valuable Hawaii jobs and reputable community businesses in this manner.

Beyond the immediate impact to our valuable Ka'anapali and West Maui visitors and our employees and business many, many support operators and businesses will be crushed. Please consider:

- *Estimated \$60M in annual revenues generated by all Ka'anapali ORMA permit operators goes away*
- *3% of \$60M in revenue now goes to DLNR or \$1.8 M to their budget, that goes away. NOTE: A Bill is now also being proposing a bill in legislature to raise this to 5%. Whether 5% or 3 % if no revenue no %*
- *\$1.00 per passenger to DAR (program just started in 2024) that would be \$750K-\$1M, that all goes away*
- *4.172% sales tax on \$60M or \$2.83M in state tax revenue, that all goes away*
- *\$9M (estimated) in commissions paid to travel agents, concierge, and activity desk operators on \$60M, that all goes away**
- *All pre and post revenue to restaurants and shops in the Ka'anapali area by tens of thousands of annual boating and ocean recreation participants, that all goes away**
- *More than 225,000 meals prepared by local restaurants or caterers for use on all boating operation, that all goes away-and the jobs of those people preparing them!*
- *Mechanics, fuel providers, maintenance personnel, transportation, ice deliveries, Uber drivers and countless others impacted with massive drop in needs and then loss of need for those jobs. That all goes away*
- *\$500K or more in beverage purchase and delivery of those items. This all goes away*
- *With a tremendous reduction of activities, experience and things to do in Ka'anapali / West Maui literally thousands of vacationers and tourist may choose elsewhere and then they go away.*

There are multiple points of further impact and collateral damage to other industries, jobs, livelihood, and commerce. These are important, however the human impact, as noted above remains a direct loss of 260 ocean activity and boating related jobs, family upheaval, removal from schools, inability to afford staying on Maui and families then moving to the mainland. This all would be unacceptably tragic.

I'm asking you to please vote for and *pass HB#661* for the sake of our communities, families, business investments and small entrepreneurs that are the backbone of our economy.

Thank you for your time in reading and considering my testimony.

Regards,

Nicholas Kuhns

HB-661-HD-1

Submitted on: 2/25/2025 5:11:16 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kaleo Lopez	Individual	Support	Written Testimony Only

Comments:

My name is Kaleo Lopez and I support this bill!

HB-661-HD-1

Submitted on: 2/25/2025 5:13:14 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
DeAna Duncan Elwell	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am submitting this testimony in strong support of HB661, HD1.

West Maui’s small businesses, particularly those operating in Ka’anapali, are being unfairly caught up in a broader environmental issue—one that now threatens the livelihood of dozens of locally owned businesses and hundreds of West Maui families who rely on them. These businesses have long operated in full compliance with stringent regulations set by both the U.S. Coast Guard and the State of Hawai‘i, ensuring safe and responsible ocean activities.

While protecting our environment is critical, we must also ensure that local businesses and working families are not collateral damage in the process. HB661 provides a commonsense solution—allowing businesses that are already compliant with existing laws and regulations to continue operating while environmental assessments are completed. This approach achieves two critical goals:

1. Safeguarding the environment through proper assessments and planning.
2. Protecting local jobs and families who have already suffered immense economic hardship following the devastating wildfires.

West Maui cannot afford to lose more businesses and jobs due to unnecessary bureaucratic delays. This bill strikes a fair balance between environmental stewardship and economic stability. I strongly urge you to pass HB661 to protect our local businesses, preserve West Maui families’ livelihoods, and ensure that responsible operators can continue serving our community.

Mahalo for your time and consideration.

HB-661-HD-1

Submitted on: 2/25/2025 5:15:17 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kelly Rohlfs	Individual	Oppose	Written Testimony Only

Comments:

I beg you to oppose the continual destruction of Hawaii's reefs and fish before it's too late. This bill will allow the reefs to be depleted of fish and may never recover. Be a good citizen of the Earth and do not pass this bill

HB-661-HD-1

Submitted on: 2/25/2025 5:15:25 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alex Vorobieff	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am writing in strong support of HB 661 HD1, particularly as it applies to Ka'anapali Ocean Recreation Management Area (ORMA) permit operators. As a frequent visitor to Maui and a passionate advocate for responsible tourism, I am deeply concerned about the potential closure of ocean recreation businesses in West Maui due to a recent court ruling.

The Ka'anapali area, still recovering from the devastating wildfires, faces another potential economic blow. The court's decision requiring all ocean recreation, boating, and watersports businesses to cease operations once their current permits expire - pending an environmental assessment - is alarming. This ruling would force 27 professional operations to close, affecting 260 families and countless visitors who cherish these experiences.

These businesses, many of which have operated responsibly for generations, provide essential services to visitors without negatively impacting natural resources. Activities like sunset sails, whale watching tours, surfing lessons, and outrigger canoe rides are integral to the Hawaiian experience and do not involve resource extraction.

HB 661 HD is crucial as it allows these operators to continue their services during the environmental review process. This continuation is vital for several reasons:

1. It prevents the immediate bankruptcy of long-standing, law-abiding businesses.
2. It maintains employment for hundreds of local residents.
3. It preserves a significant economic driver for the region, estimated at \$60 million in annual revenue¹.
4. It ensures visitors can still enjoy the unique ocean experiences that make Maui special.

The ripple effects of closing these businesses would be devastating. We would see:

- A loss of \$1.8 million in revenue to the Department of Land and Natural Resources.
- A reduction of \$2.83 million in state tax revenue.
- The disappearance of \$9 million in commissions for travel agents and activity operators.
- A significant decrease in restaurant and shop revenue from ocean activity participants.

Moreover, the human impact cannot be overstated. The potential loss of 260 ocean activity and boating-related jobs could lead to family upheavals, school withdrawals, and even force residents to leave Maui.

I urge you to pass HB 661 HD1, focusing specifically on its application to Ka'anapali ORMA permit operators. These businesses need full support now as they recover from recent disasters. Let's not punish operators who have followed regulations and contributed positively to Hawaii's economy and culture for decades.

Mahalo for your consideration of this critical issue.

Sincerely,

Alex Vorobieff

HB-661-HD-1

Submitted on: 2/25/2025 5:15:55 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jason Worchel	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my strongest opposition to this bill. It will foreseeably harm our fragile marine ecosystem without any redeeming merits other than the enrichment of a few individuals. We have an obligation to protect our fragile and valuable marine resources for future generations. It is the lifeblood of all islands. This is the primary reason tourists choose to visit Hawaii. Any regulations allowed to promote activities that clearly damage and degrade our marine environment must be avoided. Please oppose this bill.

Jason Worchel, MD

Resident of Honokaa, Hi 96727

HB-661-HD-1

Submitted on: 2/25/2025 5:16:54 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brandon Adamson	Individual	Support	Written Testimony Only

Comments:

Aloha,

I'm Ray Adamson, asking for SB1074 to be passed. I work as Maintenance Manager for Teralani Sailing. I've been with the company for three years, and we have always held environmental protection and awareness as one of our core values. Our business is in sharing the natural beauty of West Maui, it's waters, and their flora and fauna. It is always in our best interest to do whatever possible to preserve those elements, in order to provide the best experience of marine life and wonder to our guests.

We educate all our guests about not touching reef, giving space to sea turtles, and proper disposal of waste while at sea. We strive to be leaders in excellence when giving whale watches, providing the best information and strictly adhering to laws regarding whale approach. We seek out items lost from the beach, into the trade winds and out to sea and repurpose or properly dispose of them. Personally, I can attest to the strong desire within our company's maintenance program to keep our boats clean, well operating and complying with all federal and local laws.

I can speak for the entire Ka'anapali boating community when I say that we wish to do anything and everything to preserve our waters. We welcome new ideas and assistance in doing so, but cannot do this if we are forced out of our livelihoods and away from this place we all love.

We are a community just getting our sea-legs back after the devastating fires, and we've been so blessed to continue having the work, and the home that many of us have become so connected with. Please allow us to continue operating while environmental considerations are made. We are more than happy to work together with activist groups and the local regulatory bodies to improve our operations in order to keep our environment safe and growing.

HB-661-HD-1

Submitted on: 2/25/2025 5:21:33 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Austin Conroy	Individual	Support	Written Testimony Only

Comments:

I genuinely support the continued operations of services on Kaanapali beach. With full respect to environmental and social concerns, here is what I believe:

I have worked with numerous different boat companies that beach load their boats at Kaanapali, but do not work directly for these companies. I can state without question that the captains and crew on these boats are highly conscientious- Put simply, the people working these jobs, which are not easy jobs putting in a ton of hours in the sun, are among the people who most love the ocean and respect and understand the beauty of the land and people of Maui and want to preserve and honor it.

I am not pro tourism. I am passionately against arguments against those who are anti-tourism use whataboutism of 'but where do you think all your money comes from?' A huge amount of Hawaiians and especially native Hawaiians do not see that money, and it's an insult to assume everything that's a working business is good for the island.

In this case, I especially resent the sacred lands of black rock being the center of such commercial enterprise. However, I have seen again and again how those same tourists who see this island as some kind of theme park to lounge in, with no knowledge of the history, are consistently educated and have their eyes opened by their experiences on the boats.

Across numerous different companies, workers on the boats go out of their way to try to engender respect for Maui, from as simple as explaining which island as which to sharing stories of Hawaiian lore, I honestly think a lot of people get a tiny introductory window into respecting the culture from these trips. I have seen countless instances of people explaining the importance of reef-safe sunscreen to tourists that were clearly scoffing at the idea of it and are forced to understand it is killing the exact thing they are paying to see. I have seen consistent acute clarity made about no turtle harassment, taking people who genuinely ask if they can touch the shell to an understanding of how any behavior that disrupts its natural course is a crime, through zero tolerance to paying customers with shaming and a reminder of the \$10,000 fine.

Teaching them not to step on the reef, these things that to us are an absolute obvious basic, no one at the hotels is going to tell these people this.

I understand this may seem tangential to HB661, and I am not saying this is the ideal form of educating people to respect the island- It's just an unbelievably consistent amount of personal

experience seeing tourists dealing with the workers at these boat companies who have an infectious amount of genuine care. It makes it clear to me that of all possible commercial enterprises serving the long term goals of care for, which demands respect of, the environment, this is not the one to shut down. Especially with the loss of Lahaina harbor as a way to continue these operations, it seems inadvisable to lose something that in my opinion adds to the overall cause.

HB-661-HD-1

Submitted on: 2/25/2025 5:27:09 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anna Myers	Individual	Oppose	Written Testimony Only

Comments:

Our ocean needs our protection. . . . it is LIFE that needs preserving no matter how much time it takes. Some tour operators are respectful but many are only in business for how much money they can make and will over stimulate and over fish. We need environmental impact research now.

HB-661-HD-1

Submitted on: 2/25/2025 5:29:39 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jacob Wiencek	Individual	Support	Written Testimony Only

Comments:

Aloha Committee Members,

Hawaii has a notoriously burdensome regulatory and permitting regime. It crushes socioeconomic opportunity, increases the cost of living, and ultimately is driving out working- and middle-class families. This bill presents a major opportunity to reduce burdensome regulations and unleash the creative and innovative spirits of the people.

I strongly urge this Committee to SUPPORT this bill!

HB-661-HD-1

Submitted on: 2/25/2025 5:35:57 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
michael gilbert	Individual	Oppose	Written Testimony Only

Comments:

Aloha Karl

I'm not totally against this bill in principle as it pertains to ocean activity. It's the Aquarium Trade which is the issue and this bill leaves a opening for them to continue this disgusting trade

As a sports diver for more then forty years I have observed first had the decimation of our reefs.

Maui reefs are stripped of so many rare Angel fish and other species. I tried to document what they were doing and was physically threatened.

We rely on the beauty of the Oceans for our guests and my kids ask me were are all the fish

So please you may not be a snorkel or diver type but the Aquarium trade on live reefs is a disgusting blight

Can you please help stop this

Aloha

Michael Gilbert MA.Cr.

Curator of Corporate Collections

Grand Wailea Waldorf Astoria

3850 Wailea Alanui Dr

Wailea Maui Hawaii 96753

808-298-6988

Sent from my iPad

HB-661-HD-1

Submitted on: 2/25/2025 5:36:01 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Monica Stone	Individual	Oppose	Written Testimony Only

Comments:

Mahalo Committee members for receiving my testimony in **strong opposition to HB661**. Please keep the aquarium trade off of Hawai'i reefs!!

Aloha,

Monica Stone 96740

HB-661-HD-1

Submitted on: 2/25/2025 5:42:56 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
jeanne wheeler	Individual	Oppose	Written Testimony Only

Comments:

I am strongly opposed to this bill - its effects on our fragile reef eco-systems would engender a big environmental & ultimately therefore economic loss to all... please DO NOT pass this bill!
Mahalo

Subject: Testimony in Strong Support of HB661_HD1

Aloha Chair and Members of the Committee,

I am Dan Shydler and I **strongly support HB661_HD1**.

HB661_HD1 is a good regulatory solution. HB661_HD1 allows previously permitted activities to continue operating while undergoing environmental review if permits are challenged. This is critical for ensuring regulatory stability and preventing unnecessary interruptions for compliant businesses. The bill also recognizes the importance of maintaining environmental standards while avoiding redundant reviews. It strikes a fair balance between protecting Hawaii's natural resources and supporting long-standing, regulated operations.

The passing of HB661_HD1 is crucial for Maui families who depend on jobs and income tied to involved businesses. Maui's businesses and economy were set far back by the fires while still trying to recover from the COVID shutdowns. Visitor volume is already down. On the mainland, the devastation to Maui and families from the fires has been bumped from the news broadcasts – Maui has almost become an afterthought. It would be further devastating to Maui workers and their families to have another deep setback if this is not passed by even more businesses closing and eliminating jobs and paychecks. The ripple effect on associated and supporting businesses and the Maui economy is profound.

Please PASS HB661_HD1 and support local families and businesses.

Mahalo for considering this testimony.

Sincerely,

Dan Shydler

HB-661-HD-1

Submitted on: 2/25/2025 5:55:12 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lynn Allen	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill.

HB-661-HD-1

Submitted on: 2/25/2025 6:07:20 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Maria Schotte	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am submitting this testimony in strong support of HB661, HD1.

I am Maria Schotte, a resident and employee of Teralani. West Maui’s small businesses, particularly those operating in Ka’anapali, are being unfairly caught up in a broader environmental issue—one that now threatens the livelihood of dozens of locally owned businesses and hundreds of West Maui families who rely on them. These businesses have long operated in full compliance with stringent regulations set by both the U.S. Coast Guard and the State of Hawai‘i, ensuring safe and responsible ocean activities.

While protecting our environment is critical, we must also ensure that local businesses and working families are not collateral damage in the process. HB661 provides a commonsense solution—allowing businesses that are already compliant with existing laws and regulations to continue operating while environmental assessments are completed. This approach achieves two critical goals:

1. Safeguarding the environment through proper assessments and planning.
2. Protecting local jobs and families who have already suffered immense economic hardship following the devastating wildfires.

West Maui cannot afford to lose more businesses and jobs due to unnecessary bureaucratic delays. This bill strikes a fair balance between environmental stewardship and economic stability. I strongly urge you to pass HB661 to protect our local businesses, preserve West Maui families’ livelihoods, and ensure that responsible operators can continue serving our community.

Thanks for your time on this.

Maria Schotte

HB-661-HD-1

Submitted on: 2/25/2025 6:17:12 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
William K. Chang	Individual	Support	Written Testimony Only

Comments:

I support HB 661

HB-661-HD-1

Submitted on: 2/25/2025 6:23:06 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tracy Simmons	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am submitting this testimony in strong support of HB661, HD1.

West Maui’s small businesses, particularly those operating in Ka’anapali, are being unfairly caught up in a broader environmental issue—one that now threatens the livelihood of dozens of locally owned businesses and hundreds of West Maui families who rely on them. These businesses have long operated in full compliance with stringent regulations set by both the U.S. Coast Guard and the State of Hawai‘i, ensuring safe and responsible ocean activities.

While protecting our environment is critical, we must also ensure that local businesses and working families are not collateral damage in the process. HB661 provides a commonsense solution—allowing businesses that are already compliant with existing laws and regulations to continue operating while environmental assessments are completed. This approach achieves two critical goals:

1. Safeguarding the environment through proper assessments and planning.
2. Protecting local jobs and families who have already suffered immense economic hardship following the devastating wildfires.

This decision threatens not only our local businesses and economy and the community I cherish but also the very foundation of my Ohana's livelihood. I have been a proud member and part of the Maui community for over 20 years. My child grew up here instilled with the aloha spirit of our island. I rely solely on my income as an employee of Teralani Sailing Adventures on Ka'anapali Beach.

I’ve worked for decades to provide for my Ohana, relying on income generated through Ka’anapali’s ocean recreation industry. This ruling will abruptly end that, leaving us in fear of our future. I don't know how I can survive another layoff after Covid 19 & the Lahaina wildfires and once again loosing my Health Insurance and waiting weeks for an unemployment claim with no income.

As someone whose family’s livelihood is directly tied to this industry, I urge you to consider the real human cost—families like mine who will lose everything if this decision stands. The ocean is not just our workplace; it’s the heart of our community and culture.

After the Lahaian Wildfires all the boat operators rallied together and transported food, water, clothing, necessary life saving supplies to the West Side when the roads were closed and not accessible. What would happen if we have another natural disaster, who would be able to act this swiftly providing essential care to an already fragile community.

Over my 11 year tenure with Teralani sailing we have saved numerous lives that elect to go snorkeling by themselves and get into a dangerous situations and need to be saved. I have testimonies from people thanking us for saving their life and being in the right place at the right time.

I humbly ask for your support in advocating for a resolution that allows permits to remain in place during the EA process. Let's find a path forward that protects both our environment and preserve Maui's reputation as a world-class destination which the County and State of Hawaii created by allowing tourism and development and foster a sustainable future for our islands and the families who call Hawai'i home.

West Maui cannot afford to lose more businesses and jobs due to unnecessary bureaucratic delays. This bill strikes a fair balance between environmental stewardship and economic stability. I strongly urge you to pass HB661 to protect our local businesses, preserve West Maui families' livelihoods, and ensure that responsible operators can continue serving our community.

Mahalo for your time and consideration.

Sincerely,

Tracy Simmons

HB-661-HD-1

Submitted on: 2/25/2025 6:40:02 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cynthia Punihaole Kennedy	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Poepoe, and members of the Committee on Judiciary & Hawaiian Affairs,

I strongly oppose HB 661 HD1. I am deeply concerned about how this bill would affect Hawai‘i’s reefs.

Commercial aquarium collectors have severely impacted reef ecosystems around O‘ahu and Hawai‘i Island, extracting hundreds of thousands of fish and invertebrates yearly, including West Hawai‘i and Kāne‘ohe Bay. The collected species include lau‘ipala (yellow tang), kole (goldring surgeonfish), and pāku‘iku‘i (Achilles tang), among many other native and endemic species that are essential for maintaining healthy reefs and supporting Native Hawaiian subsistence fishing and cultural practices.

Our environmental review law allows decision-makers and the public to make more informed choices, balancing and mitigating potential long-term impacts on the public interest from certain proposed activities before they can proceed. This ensures prudent planning, reduces conflict, minimizes adverse outcomes, and safeguards the health and well-being of both present and future generations.

I urge you to strongly oppose HB 661 HD1.

Mahalo

Cynthia Punihaole Kennedy

Kalaoa, Kona

Island of Hawai‘i

HB-661-HD-1

Submitted on: 2/25/2025 6:53:31 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tamara S Augustine	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am submitting this testimony in strong support of HB661, HD1.

I am a mom of 4 and this job has help me to care and support my family. It has allowed my family to experience the beautiful waters of Hawaii and learn how to respect it and the animals that live within. Please don't take this away from us.

West Maui's small businesses, particularly those operating in Ka'anapali, are being unfairly caught up in a broader environmental issue—one that now threatens the livelihood of dozens of locally owned businesses and hundreds of West Maui families who rely on them. These businesses have long operated in full compliance with stringent regulations set by both the U.S. Coast Guard and the State of Hawai'i, ensuring safe and responsible ocean activities.

While protecting our environment is critical, we must also ensure that local businesses and working families are not collateral damage in the process. HB661 provides a commonsense solution—allowing businesses that are already compliant with existing laws and regulations to continue operating while environmental assessments are completed. This approach achieves two critical goals:

1. Safeguarding the environment through proper assessments and planning.
2. Protecting local jobs and families who have already suffered immense economic hardship following the devastating wildfires.

West Maui cannot afford to lose more businesses and jobs due to unnecessary bureaucratic delays. This bill strikes a fair balance between environmental stewardship and economic stability. I strongly urge you to pass HB661 to protect our local businesses, preserve West Maui families' livelihoods, and ensure that responsible operators can continue serving our community.

HB-661-HD-1

Submitted on: 2/25/2025 6:59:17 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brett Greenberg	Individual	Support	Written Testimony Only

Comments:

Aloha, I'm writing to ask you to please help with HB-661. As a decades resident of the islands and with family affected by the horrible fires, you know Maui continues to struggle. With the economy so vital to all areas of recovery it's critical that tourism and the hospitality industry return to operations and be able to serve our islands lifeblood, which is tourism. The loss of 100+ restaurants in Lahaina, 100+ shops and of course ALL the activities and offerings of Lahaina Harbor the last thing any of our Ohana need is a shutdown of options in Ka'anapali for boating. These companies and the families that operate them have been out there for generations. The returning guests and our local communities who help facilitate vacation family traditions are what keeps visitors returning to our special islands and making lifelong memories. Taking those options away will further decimate both operators and employees all trying to earn a living.

Mahalo for your time and consideration on this serious matter.

HB-661-HD-1

Submitted on: 2/25/2025 7:19:08 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James Sheaffer	Individual	Support	Written Testimony Only

Comments:

Aloha,

Thank you for hearing our voices. I stand in 100% support of HB661 in allowing the boats to continue to conduct their business/charters from Ka'anapali Beach. Many families rely on this to support their families and it would impact negatively not only the owners, operators/crew but the local economy as a whole (Hotels, restaurants which are responsible for supporting a massive amount of local families.)

Mahalo for your time and consideration,

James Sheaffer

HB-661-HD-1

Submitted on: 2/25/2025 7:23:05 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mark & Robin Harlow	Individual	Comments	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am submitting this testimony in **strong support** of HB661, HD1.

West Maui’s small businesses, particularly those in Ka’anapali, are being unfairly impacted by a broader environmental issue—one that now threatens the livelihoods of dozens of locally owned businesses and the hundreds of West Maui families who depend on them. These businesses have consistently operated in full compliance with the strict regulations set forth by both the U.S. Coast Guard and the State of Hawai‘i, ensuring safe and responsible ocean activities.

While environmental protection is essential, we must also ensure that local businesses and working families are not caught in the crossfire. HB661 offers a **practical and fair solution** by allowing businesses that are already compliant with existing laws and regulations to continue operating while environmental assessments are conducted. This approach accomplishes two key objectives:

1. **Safeguarding the environment** through proper assessments and planning.
2. **Protecting local jobs and families** who have already endured immense economic hardship following the devastating wildfires.

West Maui cannot afford further job losses and business closures due to unnecessary bureaucratic delays. HB661 strikes a **reasonable balance** between environmental stewardship and economic stability. I **strongly urge** you to pass this bill to support our local businesses, preserve the livelihoods of West Maui families, and ensure that responsible operators can continue serving our community.

Mahalo for your time and consideration.

Mark & Robin Harlow

Residents of West Maui since 1978 & 1982

HB-661-HD-1

Submitted on: 2/25/2025 7:33:02 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sherry Pollack	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB661 HD1. This bill would turn our environmental review process into an afterthought, legitimizing illegal agency practices that have inflicted and that will continue to inflict potentially irreparable harms and injustices upon our islands and communities.

I urge you to **HOLD HB661 HD1.**

HB-661-HD-1

Submitted on: 2/25/2025 7:34:43 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kamalei Warrington	Individual	Support	Written Testimony Only

Comments:

My name is Kamalei and I strongly support HB661

As a resident and employee of West Maui, we have already endured so many hardships. Please support us while we continue to recover by passing HB661

I am for the environment and SB1074 simply allows our Ka'anapali employees to continue earning a living while undergoing any required environmental reviews if permits are challenged.

Our industry has operated for over 40 years and is highly regulated by the USCG and existing State administrative rules; all of the operations on Ka'anapali Beach are and have been in compliance with.

This bill strikes a fair balance between protecting Hawaii's natural resources while supporting long-standing, regulated ocean activities operation.

Forcing lawfully permitted operators to shut down for years while spending hundreds of thousands of dollars to conduct environmental studies will inevitably lead to the closure of local business and the loss of job for me, and so many more of our West Maui residents.

History has shown that activities that have lost their permits and been shut down don't come back. Please do not let this be the case for the hundreds of businesses and thousands of residents that depend on these activities for their livelihoods.

Please pass HB661 and support our local families and businesses.

Mahalo for considering my testimony.

kamalei

HB-661-HD-1

Submitted on: 2/25/2025 7:47:15 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nina Monasevitch	Individual	Oppose	Written Testimony Only

Comments:

My name is Nina Monasevitch, I live in Lihue on the island of Kaua'i. I'm an ocean advocate. I have been Scuba diving, snorkeling and long distance ocean swimming in Hawaii for 47 years. I have seen the degradation of the reef ecosystems and diversity. From Pu'uohonua o Honanau on Big Island to Makua/Tunnels Reefs on Kaua'I, the changes I have witnessed are drastic and heartbreaking. We are in a mass extinction event and we need to do everything possible to preserve biodiversity for future generations and all life on the planet. The ocean is our life support system.

I **strongly oppose** HB661, which would allow agencies to keep rubberstamping environmentally harmful activities (like commercial aquarium collection) until whenever the agencies may get around to actually looking at the impacts and doing anything about it.

I am deeply concerned how this bill would affect Hawai'i's reefs and lawai'a pono practices.

- Commercial aquarium collectors have devastated reef ecosystems around O'ahu and Hawai'i Island, extracting **hundreds of thousands of fish and invertebrates each year** in hotspots including West Hawai'i and Kāne'ohē Bay. Collected species include lau'ipala (yellow tang), kole (goldring surgeonfish), pāku'iku'i (Achilles tang), among many other native and endemic species that are critical for maintaining healthy reefs and supporting Native Hawaiian subsistence fishing and cultural practices.

- This reef life is sold and shipped in plastic bags to the continent and around the world to supply the **global pet market for ornamental reef fish**, instead of staying on the reefs to support ecosystem health and Native Hawaiian fishing practices that have been handed down for generations.

- Thanks to HEPA and recent court rulings, our reefs have **finally gotten a break from unlimited aquarium extraction** while the collectors and State look at environmental and cultural impacts, mitigation measures, and alternatives through the public environmental review process.

- Please let HEPA do its job to **inform agency decision-making beforehand**, rather than handing industry a free pass to continue causing harm for years on end until they get around to completing the environmental review process. This bill would turn HEPA review into an

afterthought and meaningless formality to justify harm that's already been done . . . and can't be undone.

· This bill would **gut HEPA's whole purpose** and is unnecessary. HEPA provides for **exemptions of activities that have truly minor impacts**.

I strongly urge you to **VOTE NO** on **HB661**.

Sincerely,

Nina Monasevitch

HB-661-HD-1

Submitted on: 2/25/2025 8:03:59 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Georjean Adams	Individual	Oppose	Written Testimony Only

Comments:

I oppose the bill as written. Further amendments would be appropriate to avoid both undue hardship for permittees and irreparable damage to health or the environment.

Consideration for suspension of permitted activities needs to be made not only where there would be ongoing "structural modifications" but also where there could be reasonably expected irreversible threats to ecosystems (eg, taking too many aquarium fish, coral death, unsafe pollution of swimming waters).

Suspension could be based on newly identified adverse impacts science and erroneous assumptions made long ago on permits that get continuously renewed with minimal, if any, evaluation.

Nevertheless, there should be a fairly tight timeline for the agency to decide whether or not temporary suspension is warranted, followed by indepth, but also time-limited, review of whether there is no significant impact.

Keep refining the bill.

HB-661-HD-1

Submitted on: 2/25/2025 8:04:42 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ryan Christopher	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB661. This bill will bypass and give a way around environmental laws. Stop selling out our lands and waters.

HB-661-HD-1

Submitted on: 2/25/2025 8:15:28 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sammy Larrazabal	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am submitting this testimony in strong support of HB661, HD1.

West Maui’s small businesses, particularly those operating in Ka’anapali, are being unfairly caught up in a broader environmental issue—one that now threatens the livelihood of dozens of locally owned businesses and hundreds of West Maui families who rely on them. These businesses have long operated in full compliance with stringent regulations set by both the U.S. Coast Guard and the State of Hawai‘i, ensuring safe and responsible ocean activities.

While protecting our environment is critical, we must also ensure that local businesses and working families are not collateral damage in the process. HB661 provides a commonsense solution—allowing businesses that are already compliant with existing laws and regulations to continue operating while environmental assessments are completed. This approach achieves two critical goals:

1. Safeguarding the environment through proper assessments and planning.
2. Protecting local jobs and families who have already suffered immense economic hardship following the devastating wildfires.

West Maui cannot afford to lose more businesses and jobs due to unnecessary bureaucratic delays. This bill strikes a fair balance between environmental stewardship and economic stability. I strongly urge you to pass HB661 to protect our local businesses, preserve West Maui families’ livelihoods, and ensure that responsible operators can continue serving our community.

HB-661-HD-1

Submitted on: 2/25/2025 8:22:32 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ravi Bugga	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members,

I support continuation of commercial operations at Kaanapali beach during the environmental review process.

Thank you for your consideration.

Ravi Bugga

Lahaina

HB-661-HD-1

Submitted on: 2/25/2025 8:27:05 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Miles Jones	Individual	Support	Written Testimony Only

Comments:

We need to support local business who are a mainstay of our economy and culture.

Miles Jones CSW, CSS

General Manager

Johnson Brothers of Hawaii, Inc.

1011 Munu Street, Kapolei

Office: 808-487-5355

Cell: 808-285-4969

mjones@johnsonbrothers.com

HB-661-HD-1

Submitted on: 2/25/2025 8:30:02 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sandy Shimmon	Individual	Oppose	Written Testimony Only

Comments:

Strongly oppose this Bill.

HB-661-HD-1

Submitted on: 2/25/2025 8:36:55 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Luseane Malohi	Individual	Oppose	Written Testimony Only

Comments:

I live in Hawaii on the island of O‘ahu.

I **strongly oppose** HB 661, HD1, which would gut HEPA, one of our bedrock environmental laws. HEPA requires considering the environmental and cultural impacts of activities before they occur. Instead, the bill would allow state agencies like DLNR to keep rubberstamping permits until they actually look at the impacts.

For years, DLNR has rubberstamped diversions of billions of gallons of water in East Maui and Kaua‘i and extraction of millions of reef fish on Hawai‘i Island and O‘ahu, without ever looking at the impacts. Communities have successfully taken the agency to court to demand accountability by DLNR. This bill would eliminate this progress and hand these destructive activities a free pass.

This bill is unnecessary and the result of a scare campaign aimed at gutting our environmental protections. HEPA is meant to apply broadly to promote environmental consciousness *but provides exemptions for activities that have minor impacts*. This bill instead seeks to give a blanket free pass to commercial users of our public trust land, water, and ocean resources, *no matter what the harms*. It takes a sledgehammer to the law to swat at a fly.

The bill joins the all-out war against our environmental protections by the Trump administration and corporate interests. Hawai‘i should know and do better than this and not wreck our bedrock laws that uphold fundamental principles of ecological stewardship and democracy.

I strongly urge you to **VOTE NO on HB 661, HD1**.

HB-661-HD-1

Submitted on: 2/25/2025 8:47:44 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Judith Graham	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair and Committee Members: I am opposed to this bill because it seems to permit a range of unspecified activities going forward without specified end points or activity characterization in detail. It is my belief, based on extensive research in the past, that many or most Hawaiians would be opposed to this bill, although it's likely some limited number do make a living from such commercial activities.

In all, this bill seems unacceptably vague.

Thanks for considering my input.

HB-661-HD-1

Submitted on: 2/25/2025 8:48:42 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nanea Lo	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Poepoe, and Committee Members on Judiciary & Hawaiian Affairs,

My name is Nanea Lo, and **I strongly oppose HB661**, which would allow a vast range of illegally authorized activities to continue, potentially indefinitely, without a required consideration of their environmental, cultural, and social impacts to our islands and our present and future generations.

Our environmental review law allows decision-makers and the public to make more fully informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

Unfortunately, the failure of certain departments to comply with this law before authorizing certain actions—such as permitting the take of an unlimited number of ecologically critical marine specimens for the aquarium trade, or the decades-long dewatering of streams in East Maui—has resulted in severe and, in some cases, irreparable ecological, cultural, social, and economic harms that could and should have been avoided through the prudent planning embodied in our environmental review law.

By allowing illegally authorized activities to continue while environmental review challenges are resolved—something that has taken literal decades in the dewatering of East Maui’s streams—this bill would turn our environmental review process into an afterthought, legitimizing unlawful and irresponsible agency practices that have inflicted and will continue to inflict tremendous generational harms and injustices upon our islands and communities.

I urge you to HOLD HB661.

Me ke aloha ‘āina,

Nanea Lo
Mō‘ili‘ili, HI 96826
Sierra Club of Hawai‘i Executive Commission Member

Board Member, Hawai'i Workers Center
Kanaka Maoli / Lineal Descendant of the Hawaiian Kingdom

HB-661-HD-1

Submitted on: 2/25/2025 8:54:57 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Julia Witte	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

My name is Julia Witte, and I am submitting this testimony in strong support of HB661, HD1.

West Maui’s small businesses, particularly those operating in Ka’anapali, are being unfairly caught up in a broader environmental issue—one that now threatens the livelihood of dozens of locally owned businesses and hundreds of West Maui families who rely on them.

I have my degree in marine biology, I understand the need for an environmental study, and I am not opposing the impact study. But, these businesses have long operated in full compliance with stringent regulations set by both the U.S. Coast Guard and the State of Hawai‘i, ensuring safe and responsible ocean activities. With the loss of Lahaina Harbor and the many charter companies due to the Lahaina fire, there are very few jobs available for those of us who have made this our career and our livelihood, let alone simply any jobs on the west side of Maui.

While protecting our environment is critical, we must also ensure that local businesses and working families are not collateral damage in the process. HB661 provides a commonsense solution—allowing businesses that are already compliant with existing laws and regulations to continue operating while environmental assessments are completed. This approach achieves two critical goals:

1. Safeguarding the environment through proper assessments and planning.
2. Protecting local jobs and families who have already suffered immense economic hardship following the devastating wildfires.

How do you perform an environmental impact study without charter companies, one of the main reasons the impact study is being implemented, running their charters and doing what they have done for the last 30 years?

West Maui cannot afford to lose more businesses and jobs, individuals and families deserve to have financial stability. This bill strikes a fair balance between environmental stewardship and economic stability. I strongly urge you to pass HB661 to protect our local businesses, preserve West Maui families’ livelihoods, and ensure that responsible operators can continue serving our community.

Thank you for your time.

HB-661-HD-1

Submitted on: 2/25/2025 8:55:18 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Keone Emeliano	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Poepoe, and Committee Members on Judiciary & Hawaiian Affairs,

My name is Keone Emeliano and I live in North Kohala on Hawai‘i Island. I‘m an ocean advocate.

I **strongly oppose** HB661, SD1, which would allow agencies to keep rubberstamping environmentally harmful activities (like commercial aquarium collection) until whenever the agencies may get around to actually looking at the impacts and doing anything about it.

I am deeply concerned how this bill would affect Hawai‘i’s reefs and lawai‘a pono practices.

- Commercial aquarium collectors have devastated reef ecosystems around O‘ahu and Hawai‘i Island, extracting **hundreds of thousands of fish and invertebrates each year** in hotspots including West Hawai‘i and Kāne‘ohe Bay. Collected species include lau‘ipala (yellow tang), kole (goldring surgeonfish), pāku‘iku‘i (Achilles tang), among many other native and endemic species that are critical for maintaining healthy reefs and supporting Native Hawaiian subsistence fishing and cultural practices.
- This reef life is sold and shipped in plastic bags to the continent and around the world to supply the **global pet market for ornamental reef fish**, instead of staying on the reefs to support ecosystem health and Native Hawaiian fishing practices that have been handed down for generations.
- Thanks to HEPA and recent court rulings, our reefs have **finally gotten a break from unlimited aquarium extraction** while the collectors and State look at environmental and cultural impacts, mitigation measures, and alternatives through the public environmental review process.
- Please let HEPA do its job to ***inform agency decision-making beforehand***, rather than handing industry a free pass to continue causing harm for years on end until they get around to completing the environmental review process. This bill would turn HEPA review into an afterthought and meaningless formality to justify harm that’s already been done . . . and can’t be undone.
- This bill would **gut HEPA’s whole purpose** and is unnecessary. HEPA provides for **exemptions of activities that have truly minor impacts**.

I strongly urge you to **VOTE NO** on **HB661**.

Sincerely,
Keone Emeliano

Dear Chair Tarnas, Vice Chair Poepoe, and Committee Members on Judiciary & Hawaiian Affairs,

I strongly oppose HB661_HD1, which would allow environmentally harmful activities, such as commercial aquarium collection.

I am deeply concerned how this bill would further affect Hawai'i's reef health.

- Commercial aquarium collectors have impacted reef ecosystems around the Hawai'i Islands, extracting hundreds of thousands of fish and invertebrates each year. Collected species include lau'ipala (yellow tang), kole (goldring surgeonfish), pāku'iku'i (Achilles tang), among many other native and endemic species that are critical for maintaining healthy reefs.
- Reef life is snatched up, sacked up in plastic bags then shipped off to the continent and around the world to supply the ornamental pet market. Sadly many don't make it and die in transit. This is a vanity trade! These Hawaiian reef creatures belong on the reef to support ecosystem health and balance.
- Thanks to Hawai'i Environmental Policy Act (HEPA) and recent court rulings, our environmental review law intends decision makers with the public to make more informed decisions that evaluates impacts serving the greater public interest.
- Please let the HEPA process do its job to complete the environmental review process.

If the reef dies, the waves take the land.

I strongly urge you to VOTE NO on HB661

Respectively submitted,

Keith Neal
Waimea

HB-661-HD-1

Submitted on: 2/25/2025 9:01:20 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael A. Snow	Individual	Support	Written Testimony Only

Comments:

My name is Michael Snow, and I work for Trilogy Excursions. I strongly support **HB661** because Kaanapali is vital to my job and many others who rely on ocean tourism to stay on Maui.

After the Lahaina fire, many of us lost our homes and livelihoods. Working in Kaanapali has been one of the few ways to rebuild and support our families. Our boats operate with minimal impact—leaving only bubbles and taking only photos—while providing jobs and keeping our community afloat. We all take pride in our roles as guides to provide safe, informative supervision that allows our visitors to enjoy our beautiful yet fragile marine environment. I, myself take take my role as guide very seriously and find great satisfaction in educating my guests about the historical and cultural importance of the places I take them.

If boat operators are forced to shut down due to lengthy environmental reviews, many of us will lose our jobs and our ability to stay on Maui. **Please pass HB661** to protect our livelihoods and help our community recover.

Finally, the effects of a Kaanapali shut down would not be limited to just the boat operators that conduct operations at Kaanapali beach. The impact would be felt by equipment suppliers, caterers, maintenance and part suppliers all over Maui as well as neighbor islands. Extreme consideration should given to all who will be negativley impacted by this ill advised shut down.

Mahalo

Captain Michael A. Snow

HB-661-HD-1

Submitted on: 2/25/2025 9:13:26 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan Stayton	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Poepoe, and Committee Members on Judiciary & Hawaiian Affairs,

I **strongly oppose HB661**, which would allow a vast range of illegally authorized activities to continue, potentially indefinitely, without a required consideration of their environmental, cultural, and social impacts to our islands and our present and future generations.

Our environmental review law allows decisionmakers and the public to make more fully informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

Unfortunately, the failure of certain departments to comply with this law before authorizing certain actions - such as permitting the take of an unlimited number of of ecologically critical marine specimens for the aquarium trade, or the decades-long dewatering of streams in East Maui - has resulted in severe and in some cases irreparable ecological, cultural, social, and economic harms that could and should have been avoided through the prudent planning embodied in our environmental review law.

By allowing illegally authorized activities to continue while environmental review challenges are resolved - something that has taken literal decades in the dewatering of East Maui's streams - this bill would turn our environmental review process into an afterthought, legitimizing unlawful and irresponsible agency practices that have inflicted and that will continue to inflict tremendous generational harms and injustices upon our islands and communities.

I urge you to **HOLD HB661**.

Thank you for your consideration,

Susan, Lawai, Kauai

HB-661-HD-1

Submitted on: 2/25/2025 9:19:33 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mary Lu Kelley	Individual	Oppose	Written Testimony Only

Comments:

Aloha.

HB661 would allow a vast range of illegally authorized activities to continue, potentially indefinitely, without a consideration of their environmental, cultural, and social impacts to our islands and our present and future generations. These include activities such as Commercial Aquarium Collection.

Please deny/oppose HB661.

Thank you.

HB-661-HD-1

Submitted on: 2/25/2025 9:27:08 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Freddy Camacho	Individual	Support	Written Testimony Only

Comments:

My name is Freddy Camacho.

I support HB661. Currently, I am employed by Teralani Sailing, a commercial tour boat company working in Ka'anapali.

Teralani has been legally operating with a permit in Ka'anapali for 30 years. I work as a deckhand, but I'm also the manager of our crew. I can attest that we all have a love and respect for the ocean. It's why we do what we do.

Taking away what we love to do and also taking away our livelihood and the livelihood of hundreds of others in Ka'anapali who rely on our water activities to support themselves and their families would be tragic. It would be a burden to many who have already been through so much in west Maui. It would also be a burden on the county and the state with so many people losing employment.

Please pass HB661.

HB-661-HD-1

Submitted on: 2/25/2025 9:27:34 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Meredith Miller	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB661. It will cause damage the reefs and fish, and will do away with the HEPA.

HB-661-HD-1

Submitted on: 2/25/2025 9:40:40 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anna Leahey	Individual	Support	Written Testimony Only

Comments:

My name is Anna Leahey and I strongly support HB661.

As a resident and employee of West Maui, we have already endured so many hardships. Please support us while we continue to recover by passing HB661.

I am for the environment and HB661 simply allows our Ka'anapali employees to continue earning a living while undergoing any required environmental reviews if permits are challenged.

Our industry has operated for over 40 years and is highly regulated by the USCG and existing State administrative rules; all of the operations on Ka'anapali Beach are and have been in compliance with.

This bill strikes a fair balance between protecting Hawaii's natural resources while supporting long-standing, regulated ocean activities operation.

Forcing lawfully permitted operators to shut down for years while spending hundreds of thousands of dollars to conduct environmental studies will inevitably lead to the closure of local business and the loss of job for me, and so many more of our West Maui residents.

History has shown that activities that have lost their permits and been shut down don't come back. Please do not let this be the case for the hundreds of businesses and thousands of residents that depend on these activities for their livelihoods.

Please pass HB661 and support our local families and businesses.

Mahalo for considering my testimony.

Anna Leahey

HB-661-HD-1

Submitted on: 2/25/2025 9:41:11 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kristen Young	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Poepoe, and Committee Members on Judiciary & Hawaiian Affairs,

My name is Kristen and I live in Honolulu on the island of O‘ahu. Especially because I live on an island, I feel that I must advocate for the ocean. I **strongly oppose** HB661, SD1, which would allow agencies to keep rubberstamping environmentally harmful activities (like commercial aquarium collection) until whenever the agencies may get around to actually looking at the impacts and doing anything about it.

I am deeply concerned how this bill would affect Hawai‘i’s reefs and lawai‘a pono practices.

- Commercial aquarium collectors have devastated reef ecosystems around O‘ahu and Hawai‘i Island, extracting **hundreds of thousands of fish and invertebrates each year** in hotspots including West Hawai‘i and Kāne‘ohe Bay. Collected species include lau‘ipala (yellow tang), kole (goldring surgeonfish), pāku‘iku‘i (Achilles tang), among many other native and endemic species that are critical for maintaining healthy reefs and supporting Native Hawaiian subsistence fishing and cultural practices.
- This reef life is sold and shipped in plastic bags to the continent and around the world to supply the **global pet market for ornamental reef fish**, instead of staying on the reefs to support ecosystem health and Native Hawaiian fishing practices that have been handed down for generations.
- Thanks to HEPA and recent court rulings, our reefs have **finally gotten a break from unlimited aquarium extraction** while the collectors and State look at environmental and cultural impacts, mitigation measures, and alternatives through the public environmental review process.
- Please let HEPA do its job to **inform agency decision-making beforehand**, rather than handing industry a free pass to continue causing harm for years on end until they get around to completing the environmental review process. This bill would turn HEPA review into an afterthought and meaningless formality to justify harm that’s already been done . . . and can’t be undone.

- This bill would **gut HEPA's whole purpose** and is unnecessary. HEPA provides for **exemptions of activities that have truly minor impacts**.

I strongly urge you to **VOTE NO** on **HB661**.

Sincerely,

Kristen Young
Honolulu, HI 96813

HB-661-HD-1

Submitted on: 2/25/2025 9:41:43 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dana Keawe	Individual	Oppose	Written Testimony Only

Comments:

STRONGLY OPPOSE HB661 HD1

HB-661-HD-1

Submitted on: 2/25/2025 9:42:42 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Harry Shimmin	Individual	Support	Written Testimony Only

Comments:

My name is Harry Shimmin and I strongly support HB661.

As a resident and employee of West Maui, we have already endured so many hardships. Please support us while we continue to recover by passing HB661.

I am for the environment and HB661 simply allows our Ka'anapali employees to continue earning a living while undergoing any required environmental reviews if permits are challenged.

Our industry has operated for over 40 years and is highly regulated by the USCG and existing State administrative rules; all of the operations on Ka'anapali Beach are and have been in compliance with.

This bill strikes a fair balance between protecting Hawaii's natural resources while supporting long-standing, regulated ocean activities operation.

Forcing lawfully permitted operators to shut down for years while spending hundreds of thousands of dollars to conduct environmental studies will inevitably lead to the closure of local business and the loss of job for me, and so many more of our West Maui residents.

History has shown that activities that have lost their permits and been shut down don't come back. Please do not let this be the case for the hundreds of businesses and thousands of residents that depend on these activities for their livelihoods.

Please pass HB661 and support our local families and businesses.

Mahalo for considering my testimony.

Harry Shimmin

HB-661-HD-1

Submitted on: 2/25/2025 9:44:24 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Heather Brown	Individual	Support	Written Testimony Only

Comments:

My name is Heather Brown and I strongly support HB661.

As a resident and employee of West Maui, we have already endured so many hardships. Please support us while we continue to recover by passing HB661.

I am for the environment and HB661 simply allows our Ka'anapali employees to continue earning a living while undergoing any required environmental reviews if permits are challenged.

Our industry has operated for over 40 years and is highly regulated by the USCG and existing State administrative rules; all of the operations on Ka'anapali Beach are and have been in compliance with.

This bill strikes a fair balance between protecting Hawaii's natural resources while supporting long-standing, regulated ocean activities operation.

Forcing lawfully permitted operators to shut down for years while spending hundreds of thousands of dollars to conduct environmental studies will inevitably lead to the closure of local business and the loss of job for me, and so many more of our West Maui residents.

History has shown that activities that have lost their permits and been shut down don't come back. Please do not let this be the case for the hundreds of businesses and thousands of residents that depend on these activities for their livelihoods.

Please pass HB661 and support our local families and businesses.

Mahalo for considering my testimony.

Heather Brown

HB-661-HD-1

Submitted on: 2/25/2025 9:46:46 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gregg Matsuura	Individual	Support	Written Testimony Only

Comments:

I am a resident, local boater and fisherman and I strongly support HB661 HD1 to permit fishing in Hawaii while an environmental review is being conducted.

HB-661-HD-1

Submitted on: 2/25/2025 9:51:04 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Patrice Choy	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB661 HD1. Why mess with the existing environmental review law which should be constantly enforced and even strengthened?

What good do you see in HB661 HD1? It is beyond comprehension this bill has survived and any support of it would be allowing illegally authorized activities to continue that will cause deep harm and injustices upon our 'aina and people.

Please HOLD HB661 HD1.

Thank you.

HB-661-HD-1

Submitted on: 2/25/2025 9:56:03 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Robert Douglas	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Poepoe, and Committee Members on Judiciary & Hawaiian Affairs,

My name is Bob Douglas and I live in Pana'ewa, Hilo on the island of Hawai'i . I'm an ocean advocate.

I **strongly oppose** HB661, SD1, which would allow agencies to keep rubberstamping environmentally harmful activities (like commercial aquarium collection) until whenever the agencies may get around to actually looking at the impacts and doing anything about it.

I am deeply concerned how this bill would affect Hawai'i's reefs and lawai'a pono practices.

- Commercial aquarium collectors have devastated reef ecosystems around O'ahu and Hawai'i Island, extracting **hundreds of thousands of fish and invertebrates each year** in hotspots including West Hawai'i and Kāne'ohe Bay. Collected species include lau'ipala (yellow tang), kole (goldring surgeonfish), pāku'iku'i (Achilles tang), among many other native and endemic species that are critical for maintaining healthy reefs and supporting Native Hawaiian subsistence fishing and cultural practices.
- This reef life is sold and shipped in plastic bags to the continent and around the world to supply the **global pet market for ornamental reef fish**, instead of staying on the reefs to support ecosystem health and Native Hawaiian fishing practices that have been handed down for generations.
- Thanks to HEPA and recent court rulings, our reefs have **finally gotten a break from unlimited aquarium extraction** while the collectors and State look at environmental and cultural impacts, mitigation measures, and alternatives through the public environmental review process.
- Please let HEPA do its job to **inform agency decision-making beforehand**, rather than handing industry a free pass to continue causing harm for years on end until they get around to completing the environmental review process. This bill would turn HEPA review into an afterthought and meaningless formality to justify harm that's already been done . . . and can't be undone.
- This bill would **gut HEPA's whole purpose** and is unnecessary. HEPA provides for **exemptions of activities that have truly minor impacts**.

I strongly urge you to **VOTE NO** on **HB661**.

Sincerely,
Bob Douglas

HB-661-HD-1

Submitted on: 2/25/2025 10:02:22 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sunny Hudson	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am submitting this testimony in strong support of HB661, HD1.

West Maui’s small businesses, particularly those operating in Ka’anapali, are being unfairly caught up in a broader environmental issue—one that now threatens the livelihood of dozens of locally owned businesses and hundreds of West Maui families who rely on them. These businesses have long operated in full compliance with stringent regulations set by both the U.S. Coast Guard and the State of Hawai‘i, ensuring safe and responsible ocean activities.

While protecting our environment is critical, we must also ensure that local businesses and working families are not collateral damage in the process. HB661 provides a commonsense solution—allowing businesses that are already compliant with existing laws and regulations to continue operating while environmental assessments are completed.

This approach achieves two critical goals:

1. Safeguarding the environment through proper assessments and planning.
2. Protecting local jobs and families who have already suffered immense economic hardship following the devastating wildfires.

West Maui cannot afford to lose more businesses and jobs due to unnecessary bureaucratic delays. This bill strikes a fair balance between environmental stewardship and economic stability. I strongly urge you to pass HB661 to protect our local businesses, preserve West Maui families’ livelihoods, and ensure that responsible operators can continue serving our community

Mahalo for your time and consideration.

HB-661-HD-1

Submitted on: 2/25/2025 10:16:32 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dave Kisor	Individual	Oppose	Written Testimony Only

Comments:

The aquarium trade will be th death of our reefs. Rather than shipping live fish, I believe digital aquariums are the way to go, as many fish do not survive the transit.

HB-661-HD-1

Submitted on: 2/25/2025 10:21:34 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chloe Cryan	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am submitting this testimony in strong support of HB661, HD1.

West Maui’s small businesses, particularly those operating in Ka’anapali, are being unfairly caught up in a broader environmental issue—one that now threatens the livelihood of dozens of locally owned businesses and hundreds of West Maui families who rely on them. These businesses have long operated in full compliance with stringent regulations set by both the U.S. Coast Guard and the State of Hawai‘i, ensuring safe and responsible ocean activities.

While protecting our environment is critical, we must also ensure that local businesses and working families are not collateral damage in the process. HB661 provides a commonsense solution—allowing businesses that are already compliant with existing laws and regulations to continue operating while environmental assessments are completed.

This approach achieves two critical goals:

1. Safeguarding the environment through proper assessments and planning.
2. Protecting local jobs and families who have already suffered immense economic hardship following the devastating wildfires.

West Maui cannot afford to lose more businesses and jobs due to unnecessary bureaucratic delays. This bill strikes a fair balance between environmental stewardship and economic stability. I strongly urge you to pass HB661 to protect our local businesses, preserve West Maui families’ livelihoods, and ensure that responsible operators can continue serving our community.

Mahalo for your time and consideration.

Chloe Cryan

HB-661-HD-1

Submitted on: 2/25/2025 10:33:42 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rick Warshauer	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB661. While the bill provides regulatory relief for many tour operators, it also will allow the resumption of the rapacious aquarium industry back onto Hawaii's beleaguered reefs. This would be an unconscionable disaster. Please kill the bill or amend it to absolutely prevent any resumption of the aquarium trade in any form, place or scale in these islands.

Rick Warshauer

HB-661-HD-1

Submitted on: 2/25/2025 11:06:07 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David Hunt	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB661

HB661 would allow a many illegally authorized activities to continue without a required consideration of their environmental, cultural, and social impacts to our islands and our present and future generations.

We did not elect you to kick the can down the road, brush the dirt under the rug, or to continue good-ol-boy dealings for activities that threaten our land, air, water, communities, and cultural values.

HB-661-HD-1

Submitted on: 2/25/2025 11:53:58 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
KEALA FUNG	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Poepoe, and Committee Members on Judiciary & Hawaiian Affairs,

My name is Keala Fung and I live in Honolulu. I'm an ocean advocate, a fisher person, a surfer, a gatherer, and a protector of that which feeds me.

I **strongly oppose** HB661, SD1, which would allow agencies to keep rubberstamping environmentally harmful activities (like commercial aquarium collection) until whenever the agencies may get around to actually looking at the impacts and doing anything about it.

I am deeply concerned how this bill would affect Hawai'i's reefs and lawai'a pono practices.

- Commercial aquarium collectors have devastated reef ecosystems around O'ahu and Hawai'i Island, extracting **hundreds of thousands of fish and invertebrates each year** in hotspots including West Hawai'i and Kāne'ohe Bay. Collected species include lau'ipala (yellow tang), kole (goldring surgeonfish), pāku'iku'i (Achilles tang), among many other native and endemic species that are critical for maintaining healthy reefs and supporting Native Hawaiian subsistence fishing and cultural practices.
- This reef life is sold and shipped in plastic bags to the continent and around the world to supply the **global pet market for ornamental reef fish**, instead of staying on the reefs to support ecosystem health and Native Hawaiian fishing practices that have been handed down for generations.
- Thanks to HEPA and recent court rulings, our reefs have **finally gotten a break from unlimited aquarium extraction** while the collectors and State look at environmental and cultural impacts, mitigation measures, and alternatives through the public environmental review process.
- Please let HEPA do its job to ***inform agency decision-making beforehand***, rather than handing industry a free pass to continue causing harm for years on end until they get around to completing the environmental review process. This bill would turn HEPA review into an afterthought and meaningless formality to justify harm that's already been done . . . and can't be undone.
- This bill would **gut HEPA's whole purpose** and is unnecessary. HEPA provides for **exemptions of activities that have truly minor impacts**.

I strongly urge you to **VOTE NO** on **HB661**.

Sincerely,
Keala Fung, Honolulu

HB-661-HD-1

Submitted on: 2/26/2025 2:54:45 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rebecca Melendez	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Poepoe, and Committee Members on Judiciary & Hawaiian Affairs,

My name is Rebecca Melendez and I strongly oppose HB661, which would allow a vast range of illegally authorized activities to continue, potentially indefinitely, without a required consideration of their environmental, cultural, and social impacts to our islands and our present and future generations.

Our environmental review law allows decisionmakers and the public to make more fully informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

Unfortunately, the failure of certain departments to comply with this law before authorizing certain actions - such as permitting the take of an unlimited number of of ecologically critical marine specimens for the aquarium trade, or the decades-long dewatering of streams in East Maui - has resulted in severe and in some cases irreparable ecological, cultural, social, and economic harms that could and should have been avoided through the prudent planning embodied in our environmental review law.

By allowing illegally authorized activities to continue while environmental review challenges are resolved - something that has taken literal decades in the dewatering of East Maui's streams - this bill would turn our environmental review process into an afterthought, legitimizing unlawful and irresponsible agency practices that have inflicted and that will continue to inflict tremendous generational harms and injustices upon our islands and communities.

I urge you to HOLD HB661.

Sincerely,
Rebecca Melendez

HB-661-HD-1

Submitted on: 2/26/2025 3:07:44 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Greg Misakian	Individual	Oppose	Remotely Via Zoom

Comments:

I oppose HB661 HD1 and ask our legislators to please stop introducing bills that circumvent important and required things, such as an Environmental Impact Statement (EIS).

An EIS is required for a purpose, which is to protect the environment and ensure the people of Hawaii and the wildlife of Hawaii have safe spaces, and lands, waterways, and open spaces are properly protected from improper developments and projects.

Please do what's best for the people of Hawaii and our wildlife.

Gregory Misakian

HB-661-HD-1

Submitted on: 2/26/2025 4:08:13 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Greg Miller	Individual	Support	Written Testimony Only

Comments:

I have enjoyed a 40 year career in hospitality and know that commerce, especially in Hawai‘i, relies on the restaurants, resorts, shopping & activities to create jobs and drive tourism. The potential consequences of an order to stop all water sport activities in the Ka'anapali area would potentially result in the loss of hundreds of jobs and diminish the appeal of the area for tourism. This potential ruling seems contrary to West Maui's recovery plan.

I fully support any effort to ensure environmental conservation however, an abrupt halt to ocean activities may negatively impact employment and tourism.

Please reconsider next steps to ensure rebuilding is thoughtful, sustainable, and in the best interest of Maui residents and the future of Maui tourism.

HB-661-HD-1

Submitted on: 2/26/2025 4:21:04 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Christine Williamson	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am Cris Williamson and I strongly support HB661.

My interpretation of HB661 is that it provides for an operator to go forward and continue with their operations and services during the process of an environmental review. Services as permitted would be allowed to continue everything for operations as is normal circumstance if / when permits are challenged for environmental or other concerns. Having this continuation of services is very important as it allows the operator to remain in business and continue until or if reviews show that for any reason operations should be stopped. If narrowing this Bill to apply to Ka'anapali ORMA permit operators as was the intention assist in moving forward towards approval that would be fully acceptable. Forcing lawfully permitted operators to shut down for years while spending hundreds of thousands of dollars to conduct environmental studies will inevitably lead to the closure of local business and the loss of job for even more. History has shown that activities that have lost their permits and been shut down (e.g., the Super Ferry, Aquatic Fish Collectors, etc.,) don't come back. Please do not let this be the case for the hundreds of businesses and thousands of residents that depend on these activities for their livelihoods.

Please pass HB661 and support our local families and businesses.

Mahalo for considering this testimony.

Sincerely,
Cris Williamson

HB-661-HD-1

Submitted on: 2/26/2025 4:24:39 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
noriko donna	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Poepoe, and Committee Members on Judiciary & Hawaiian Affairs,

My name is Noriko Donna and I live in Holualoa on the island of Hawai'i. I'm an ocean advocate.

I **strongly oppose** HB661, SD1, which would allow agencies to keep rubberstamping environmentally harmful activities (like commercial aquarium collection) until whenever the agencies may get around to actually looking at the impacts and doing anything about it.

I am deeply concerned how this bill would affect Hawai'i's reefs and lawai'a pono practices.

- Commercial aquarium collectors have devastated reef ecosystems around O'ahu and Hawai'i Island, extracting **hundreds of thousands of fish and invertebrates each year** in hotspots including West Hawai'i and Kāne'ohe Bay. Collected species include lau'ipala (yellow tang), kole (goldring surgeonfish), pāku'iku'i (Achilles tang), among many other native and endemic species that are critical for maintaining healthy reefs and supporting Native Hawaiian subsistence fishing and cultural practices.
- This reef life is sold and shipped in plastic bags to the continent and around the world to supply the **global pet market for ornamental reef fish**, instead of staying on the reefs to support ecosystem health and Native Hawaiian fishing practices that have been handed down for generations.
- Thanks to HEPA and recent court rulings, our reefs have **finally gotten a break from unlimited aquarium**

extraction while the collectors and State look at environmental and cultural impacts, mitigation measures, and alternatives through the public environmental review process.

- Please let HEPA do its job to ***inform agency decision-making beforehand***, rather than handing industry a free pass to continue causing harm for years on end until they get around to completing the environmental review process. This bill would turn HEPA review into an afterthought and meaningless formality to justify harm that's already been done . . . and can't be undone.
- This bill would **gut HEPA's whole purpose** and is unnecessary. HEPA provides for **exemptions of activities that have truly minor impacts**.

I strongly urge you to **VOTE NO** on **HB661**.

Sincerely,
Noriko Donna

HB-661-HD-1

Submitted on: 2/26/2025 4:24:54 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rick Williamson	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am Rick Williamson and I strongly support HB661.

My interpretation of HB661 is that it provides for an operator to go forward and continue with their operations and services during the process of an environmental review. Services as permitted would be allowed to continue everything for operations as is normal circumstance if / when permits are challenged for environmental or other concerns. Having this continuation of services is very important as it allows the operator to remain in business and continue until or if reviews show that for any reason operations should be stopped. If narrowing this Bill to apply to Ka'anapali ORMA permit operators as was the intention assist in moving forward towards approval that would be fully acceptable. Forcing lawfully permitted operators to shut down for years while spending hundreds of thousands of dollars to conduct environmental studies will inevitably lead to the closure of local business and the loss of job for even more.

History has shown that activities that have lost their permits and been shut down (e.g., the Super Ferry, Aquatic Fish Collectors, etc.,) don't come back. Please do not let this be the case for the hundreds of businesses and thousands of residents that depend on these activities for their livelihoods.

Please pass HB661 and support our local families and businesses.

Mahalo for considering this testimony.

Sincerely,

Rick Williamson

February 25, 2025

Aloha Honorable Representatives, Chairs, Committees,

I am writing again in support of HB 661 pertaining to continued boat operations/ activities/ excursions and operating license renewals along Kā'anapali in light of an Environmental Assessment proposal. I hope the important contributions made by continued boat operations are recognized and supported by the legislature and Governor.

Passing HB 661 would buoy comeback efforts, promote tourism and consumerism while also supporting environmental stewardship. Boat excursions and activities would continue to draw mainland and international bookings that contribute to many job opportunities therefore income for residents as well as raising county and state revenue. Plus, HB 661 sends an important message about Hawai'i's commitment to getting Maui back on course so folks can again thrive.

Maui still struggles to make a comeback after 2 devastating and shaking events: an extended Covid 19 shutdown and a life shattering wildfire. Families, locally owned excursion companies, family-owned restaurants, popular vendors, retailers, hotels are still struggling to survive. All depend heavily on visitors, retail spending, activity bookings, and steady customers to make it back after the past 4 difficult years. Restaurants, recreation companies, souvenir stores, Whaler's Village etc., count on walk-in business. Visitors are essential for families who own or are employed at these establishments. All of these places and services provide the ability to rebuild lives.

My family and extended family are loyal, annual visitors who've been coming for decades to enjoy every type of boat and ocean activity. We are drawn to West Side for the rich variety of excursions and experiences offered by superior ocean activities operators, including these:

- Whale watching
- Dinner cruises
- Sunset cruises
- SUP (stand up paddle board)
- Scuba diving at Molokini
- Snorkel
- Parasailing
- Reef exploration
- Turtle viewing
- Catamaran paddling

A truth about organized ocean activities: they bring visitors. Tour boats guarantee an investment in a species. They amplify species protection in a tangible way: tour and tax revenue contribute to that protection.

Thank you again for your attention.

Kindly, Milana Lock

HB-661-HD-1

Submitted on: 2/26/2025 4:47:48 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James Sturz	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Poepoe, and Committee Members on Judiciary & Hawaiian Affairs,

My name is James Sturz, I live in Kapa‘au, in North Kohala, and I **strongly oppose HB661**, which would allow a vast range of illegally authorized activities to continue, potentially indefinitely, without a required consideration of their environmental, cultural, and social impacts to our islands and our present and future generations.

Specifically, I am deeply concerned how this bill would affect Hawai‘i’s reefs.

- Commercial aquarium collectors have devastated reef ecosystems around O‘ahu and Hawai‘i Island, extracting **hundreds of thousands of fish and invertebrates each year** in hotspots including West Hawai‘i and Kāne‘ohe Bay. Collected species include lau‘ipala (yellow tang), kole (goldring surgeonfish), pāku‘iku‘i (Achilles tang), among many other native and endemic species that are critical for maintaining healthy reefs and supporting Native Hawaiian subsistence fishing and cultural practices.
- This reef life is sold and shipped in plastic bags to the continent and around the world to supply the **global pet market for ornamental reef fish**, instead of staying on the reefs to support ecosystem health and Native Hawaiian fishing practices that have been handed down for generations. These fish are also what makes Hawaii’s reefs vibrant, which attracts snorkelers and scuba divers from around the globe, contributing important tourism dollars to our economy.
- Thanks to HEPA and recent court rulings, our reefs have **finally gotten a break from unlimited aquarium extraction** while the collectors and State look at environmental and cultural impacts, mitigation measures, and alternatives through the public environmental review process.
- Please let HEPA do its job to **inform agency decision-making beforehand**, rather than handing industry a free pass to continue causing harm for years on end until they get around to completing the environmental review process. This bill would turn HEPA review into an afterthought and meaningless formality to justify harm that’s already been done . . . and can’t be undone.
- This bill would **gut HEPA’s whole purpose** and is unnecessary. HEPA provides for **exemptions of activities that have truly minor impacts**.

I strongly urge you to **VOTE NO** on **HB661**.

Sincerely,
James Sturz

HB-661-HD-1

Submitted on: 2/26/2025 5:40:21 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Norman Windham	Individual	Support	Written Testimony Only

Comments:

I support Bill HB661 HD1 - PLEASE PASS IT

HB-661-HD-1

Submitted on: 2/26/2025 5:56:15 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael BenShimon	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am Michael BenShimon and I strongly **support HB661**.

HB661 allows previously permitted activities to continue operating while undergoing environmental review if permits are challenged. This is critical for ensuring regulatory stability and preventing unnecessary interruptions for compliant businesses.

This bill also recognizes the importance of maintaining environmental standards while avoiding redundant reviews. It strikes a fair balance between protecting Hawaii's natural resources and supporting long-standing, regulated operations.

Forcing lawfully permitted operators to shut down for years while spending hundreds of thousands of dollars to conduct environmental studies will inevitably lead to the closure of local business and the loss of job for even more.

History has shown that activities that have lost their permits and been shut down (e.g., the Super Ferry, Aquatic Fish Collectors, etc.) don't come back. Please do not let this be the case for the hundreds of businesses and thousands of residents that depend on these activities for their livelihoods.

Please pass HB661 and support our local families and businesses.

Mahalo for considering this testimony.

Sincerely,

Michael BenShimon

HB-661-HD-1

Submitted on: 2/26/2025 5:57:34 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Madison BenShimon	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am Madison BenShimon and I strongly **support HB661**.

HB661 allows previously permitted activities to continue operating while undergoing environmental review if permits are challenged. This is critical for ensuring regulatory stability and preventing unnecessary interruptions for compliant businesses.

This bill also recognizes the importance of maintaining environmental standards while avoiding redundant reviews. It strikes a fair balance between protecting Hawaii’s natural resources and supporting long-standing, regulated operations.

Forcing lawfully permitted operators to shut down for years while spending hundreds of thousands of dollars to conduct environmental studies will inevitably lead to the closure of local business and the loss of job for even more.

History has shown that activities that have lost their permits and been shut down (e.g., the Super Ferry, Aquatic Fish Collectors, etc.) don’t come back. Please do not let this be the case for the hundreds of businesses and thousands of residents that depend on these activities for their livelihoods.

Please pass HB661 and support our local families and businesses.

Mahalo for considering this testimony.

Sincerely,

Madison BenShimon

HB-661-HD-1

Submitted on: 2/26/2025 6:05:56 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jamie Sweet	Individual	Support	Written Testimony Only

Comments:

Please support this bill. This directly effects my family. I'm a single mother with 2 children that rely solely on the income I make from working as a Reservations Manager for a small family owned tour business. Please support this bill for the 1,000's of families effected. We're still trying to recover from covid and the fires, we are barley hanging on! Please help.

HB-661-HD-1

Submitted on: 2/26/2025 6:09:06 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Capt. Linda Rickabaugh	Individual	Support	Written Testimony Only

Comments:

This will be devastating to Maui's economy and the state. 100's of millions of dollars lost and THOUSANDS of job when you expand the net of businesses effected. PLEASE SUPPORT this bill and SAVE MAUI. We want to continue to be good stewards of the Aina, but how can we help if we're shutdown? Too many adverse effects by not passing this bill.

HB-661-HD-1

Submitted on: 2/26/2025 6:11:23 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Capt. Carrie Pouring	Individual	Support	Written Testimony Only

Comments:

PLEASE support this bill. It will help Maui while the requested EA or EIS is conducted. Shutting down businesses will decimate these small business owners and our economy. Also, how will they be able to conduct an assesment wihtout these companies operating? PLEASE SUPPORT!

HB-661-HD-1

Submitted on: 2/26/2025 6:14:23 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James Nelson	Individual	Support	Written Testimony Only

Comments:

PLEASE SUPPORT! Why would we shut down a business if we're trying to gage their impact on the enviroment? How will they be able to compare? PLEASE SUPPORT!

HB-661-HD-1

Submitted on: 2/26/2025 6:16:39 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Phil Quinn	Individual	Support	Written Testimony Only

Comments:

I PERSONALLY plucked bodies from the water after the Maui Wildfires. I did supply runs for 3 days straight after the fires. I AM the "Community". Without this bill we're talking THOUSANDS of jobs lost, and 100's of millions in revenue. Enough said. Please save MAUI! We've been through enough.

HB-661-HD-1

Submitted on: 2/26/2025 6:26:40 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Laura K. Legge	Individual	Oppose	Written Testimony Only

Comments:

I STRONGLY oppose this. This bill is not needed because of existing exemptions and could have unintended terrible consequences for our marine environment. If this passes aquarium pet trade taking needed fish off our reefs will jump on this opportunity to collect.

Please don't try to solve one problem by creating a bigger one.

HB-661-HD-1

Submitted on: 2/26/2025 6:29:35 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Captain Jeffrey Marker	Individual	Oppose	In Person

Comments:

Dear Chair Tarnas, Vice Chair Poepoe, and Committee Members of the Judiciary and Hawaiian Affairs,

My name is Captain Jeff Marker, and I am a resident of Kihei on the island of Maui. I am writing to urge you to hold and vote no on HB661.

Having spent considerable time around the Hawaiian Islands, I have witnessed firsthand the devastating impact that unregulated aquarium fish harvesting is having on our marine ecosystems and coral reefs. As a local business owner, I understand that our pristine oceans, vibrant reefs, and diverse sea life are the very reasons tourists from around the world visit our islands, supporting our economy.

Unfortunately, Hawaii currently lacks the resources and budget needed to effectively regulate this industry. As a result, aquarium fish hunters are stripping our reefs of their inhabitants, with mortality rates estimated to be as high as 62%. This unsustainable practice not only harms our natural environment but also jeopardizes the cultural and economic well-being of our communities.

Recent court rulings involving HEPA have provided a temporary respite from the unchecked extraction of marine life. This pause is critical, as it allows state agencies the opportunity to assess the environmental and cultural impacts, and to develop appropriate mitigation measures through a comprehensive public environmental review process.

I respectfully request that you allow HEPA to fully perform its oversight role and ensure that sound environmental safeguards are in place before any further permitting decisions are made. The unchecked removal of these ecologically vital species could cause irreversible harm that may take decades to repair.

Thank you for your attention to this important issue. Please vote no on HB661.

Sincerely,

Captain Jeff Marker

HB-661-HD-1

Submitted on: 2/26/2025 6:33:56 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lisa Welter	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill

Testimony on HB661 HD1

HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

Thursday, February 27, 2025
2 PM, Conference Room 325

Aloha Chairs Tarnas and Poepoe,

My name is Dave Raney. I **strongly oppose HB661 HD1**. HEPA, the Hawaiian Environmental Policy Act, is designed to rigorously evaluate the potential environmental, social, and cultural impacts of a proposed action before that action is allowed to proceed. This provides an incentive for proponents of an action to perform the required environmental assessment, and full environmental impact statement if warranted, in a timely manner. This bill removes that incentive, encouraging delay of required environmental reviews indefinitely.

Our environmental review law allows decisionmakers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

Failure of departments to comply with this law before authorizing certain actions - such as permitting the take of an unlimited number of ecologically critical marine specimens for the aquarium trade, or the decades-long dewatering of streams in East Maui - has resulted in severe and in some cases irreparable ecological, cultural, social, and economic harms that could and should have been avoided through the prudent planning embodied in our environmental review law.

By allowing illegally authorized activities to continue while environmental review challenges are resolved - something that has taken literal decades in the dewatering of East Maui's streams - this bill would turn our environmental review process into an afterthought, legitimizing unlawful and irresponsible agency practices that have inflicted and that will continue to inflict tremendous generational harms and injustices upon our islands and communities.

I urge you to **HOLD HB661 HD1**.

Dave Raney

HB-661-HD-1

Submitted on: 2/26/2025 6:37:46 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
BRIAN GREGORY HUMENESKY	Individual	Support	Written Testimony Only

Comments:

HB661 HD1 is meant to support Ka'anapali operators facing the closing of their businesses. Allowing operators to remain open for business while an environmental review is conducted makes good sense for Maui and the individuals that make up the community. If not approved, it would put business owners out of business and employees out of work. This bill ensures that operators that followed all State regulations can continue to be valuable contributors to the community.

If permit holders who have complied with all State guidelines and regulations are forced to shut down during environmental reviews, our community will suffer and we will lose experienced operators, business leaders and jobs.

HB-661-HD-1

Submitted on: 2/26/2025 6:43:17 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
anita	Individual	Oppose	Written Testimony Only

Comments:

This is so bad. I strongly oppose HB661 for obvious reasons

HB-661-HD-1

Submitted on: 2/26/2025 6:49:31 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nancy Harter	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Poepoe, and members of the Committee on Judiciary & Hawaiian Affairs,

My name is Nancy Harter and I strongly oppose HB661 HD1, which would allow a vast range of illegally authorized activities to continue, potentially indefinitely, without a required consideration of their environmental, cultural, and social impacts to our islands and our present and future generations.

Our environmental review law allows decisionmakers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

Unfortunately, the failure of certain departments to comply with this law before authorizing certain actions - such as permitting the take of an unlimited number of of ecologically critical marine specimens for the aquarium trade, or the decades-long dewatering of streams in East Maui - has resulted in severe and in some cases irreparable ecological, cultural, social, and economic harms that could and should have been avoided through the prudent planning embodied in our environmental review law.

By allowing illegally authorized activities to continue while environmental review challenges are resolved - something that has taken literal decades in the dewatering of East Maui's streams - this bill would turn our environmental review process into an afterthought, legitimizing unlawful and irresponsible agency practices that have inflicted and that will continue to inflict tremendous generational harms and injustices upon our islands and communities.

I urge you to **HOLD HB661 HD1**.

Sincerely,

Nancy Harter

HB-661-HD-1

Submitted on: 2/26/2025 6:52:07 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jim Hart	Individual	Support	Written Testimony Only

Comments:

My name is Jim Hart and I have been vacationing with my family at Ka'anapali in West Maui for decades. I am in support of HB661 and the recreational operators' beach and water activities. The operators do an excellent job with services like catamaran experiences. These concessions are a big part of my family choosing West Maui as our preferred vacation spot. I have suggested that the permitted operators, many of whom have been serving the vacationing community for decades, continue with their operations while environmental studies are conducted. This is a balanced approach to serving the Maui community with employment, during the wildfire recovery efforts continue should be duly considered in your decisions.

Thank you for your attention to this matter. Jim Hart

HB-661-HD-1

Submitted on: 2/26/2025 7:24:04 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
George Patterson	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Poepoe, and members of the Committee on Judiciary & Hawaiian Affairs,

My name is George Patterson and I strongly oppose HB661 HD1, which would allow a vast range of illegally authorized activities to continue, potentially indefinitely, without a required consideration of their environmental, cultural, and social impacts to our islands and our present and future generations.

Our environmental review law allows decision makers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

Unfortunately, the failure of certain departments to comply with this law before authorizing certain actions - such as permitting the take of an unlimited number of of ecologically critical marine specimens for the aquarium trade, or the decades-long dewatering of streams in East Maui - has resulted in severe and in some cases irreparable ecological, cultural, social, and economic harms that could and should have been avoided through the prudent planning embodied in our environmental review law.

By allowing illegally authorized activities to continue while environmental review challenges are resolved - something that has taken literal decades in the dewatering of East Maui's streams - this bill would turn our environmental review process into an afterthought, legitimizing unlawful and irresponsible agency practices that have inflicted and that will continue to inflict tremendous generational harms and injustices upon our islands and communities.

I urge you to HOLD HB661 HD1.

Sincerely,

George Patterson

HB-661-HD-1

Submitted on: 2/26/2025 7:27:46 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shelley M Kekuna	Individual	Support	Written Testimony Only

Comments:

Testimony for HB661 HD1

Subject: Testimony in Support of HB661– Relating to Environmental Review

Aloha Chair and Members of the Committee,

I am Shelley Kekuna a long-time employee in Kā’anapali. I appreciate this opportunity to give testimony in support of HB661, which allows previously permitted activities to continue operating while undergoing environmental review if permits are challenged. This is critical for ensuring regulatory stability and preventing unnecessary interruptions for compliant businesses.

This bill also recognizes the importance of maintaining environmental standards while avoiding redundant reviews. It strikes a fair balance between protecting Hawaii’s natural resources and supporting long-standing, regulated operations. As someone interested in the long-term environmental health and well-being of Kā’anapali, I have watched environmental protective practices evolve as time goes by. I have witnessed Kā’anapali Beach Resort partners’ ongoing efforts to reduce their carbon footprint through efforts such as distribution of reef safe sunscreen throughout the resort and educating the public on ocean recreation best practices onsite at individual resort properties, as well as at the Hawaii Wildlife Discovery Center, located in Whalers Village.

I am in support of being a good steward of the environment but feel that this can be accomplished without forcing lawfully permitted operators to shut down for years while spending hundreds of thousands of dollars to conduct environmental studies. This will inevitably lead to the closure of local business and the loss of job for many.

The boating industry is an important part of our local economy and impacts the livelihood, both directly and indirectly, of hundreds of local families. In the last five years, these Maui businesses have faced seemingly unsurmountable challenges between COVID and the devastating Lahaina fire. Shutting down boating operations by creating restrictions that prevent them from operating while waiting for an EIS to be completed would cause irreparable harm that would force them out of business. Please do not let this happen.

Please pass HB661 and support our local families and businesses.

Mahalo for considering this testimony.

Sincerely,
Shelley Kekuna

HB-661-HD-1

Submitted on: 2/26/2025 7:31:53 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sunshine Eckstrom	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Poepoe, and Committee Members on Judiciary & Hawaiian Affairs,

I **strongly oppose HB661**, which would allow a vast range of illegally authorized activities to continue, potentially indefinitely, without a required consideration of their environmental, cultural, and social impacts to our islands and our present and future generations.

It is our duty to protect our ocean's inhabitants, not allow them to be taken, harming our already strained ocean ecosystems.

HB-661-HD-1

Submitted on: 2/26/2025 7:34:59 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
ane takaha	Individual	Oppose	Written Testimony Only

Comments:

Aloha, i am writing to oppose this bill and it's sister bill (all ready testisfied in writing). regarding our oceans. There is valid concern that these bills will open up the aquarium trade fishing again. We swim almost everyday on the south shore and in the 17 years i have lived here the reef fish popluation has diminshed greatly - some days no fish at all. Between over tourism, polution from run off, and the aquarium fishing we stand to loose what draws so many here - our beautiful reef community. thank you, Ane Takaha

HB-661-HD-1

Submitted on: 2/26/2025 7:38:40 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Frank Caparso	Individual	Support	Written Testimony Only

Comments:

I am submitting this testimony in strong support of HB661, HD1.

West Maui’s small businesses, particularly those operating in Ka‘anapali, are being unfairly caught up in a broader environmental issue—one that now threatens the livelihood of dozens of locally owned businesses and hundreds of West Maui families who rely on them. These businesses have long operated in full compliance with stringent regulations set by both the U.S. Coast Guard and the State of Hawai‘i, ensuring safe and responsible ocean activities.

While protecting our environment is critical, we must also ensure that local businesses and working families are not collateral damage in the process. HB661 provides a commonsense solution—allowing businesses that are already compliant with existing laws and regulations to continue operating while environmental assessments are completed. This approach achieves two critical goals:

1. Safeguarding the environment through proper assessments and planning.
2. Protecting local jobs and families who have already suffered immense economic hardship following the devastating wildfires.

West Maui cannot afford to lose more businesses and jobs due to unnecessary bureaucratic delays. This bill strikes a fair balance between environmental stewardship and economic stability. I strongly urge you to pass HB661 to protect our local businesses, preserve West Maui families’ livelihoods, and ensure that responsible operators can continue serving our community.

HB-661-HD-1

Submitted on: 2/26/2025 7:47:01 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jonathan Utley	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am submitting this testimony in strong support of HB661, HD1.

West Maui’s small businesses, particularly those operating in Ka’anapali, are being unfairly caught up in a broader environmental issue—one that now threatens the livelihood of dozens of locally owned businesses and hundreds of West Maui families who rely on them. These businesses have long operated in full compliance with stringent regulations set by both the U.S. Coast Guard and the State of Hawai‘i, ensuring safe and responsible ocean activities.

While protecting our environment is critical, we must also ensure that local businesses and working families are not collateral damage in the process. HB661 provides a commonsense solution—allowing businesses that are already compliant with existing laws and regulations to continue operating while environmental assessments are completed. This approach achieves two critical goals:

1. Safeguarding the environment through proper assessments and planning.
2. Protecting local jobs and families who have already suffered immense economic hardship following the devastating wildfires.

West Maui cannot afford to lose more businesses and jobs due to unnecessary bureaucratic delays. This bill strikes a fair balance between environmental stewardship and economic stability. I strongly urge you to pass HB661 to protect our local businesses, preserve West Maui families’ livelihoods, and ensure that responsible operators can continue serving our community.

HB-661-HD-1

Submitted on: 2/26/2025 7:51:51 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dr Michael Amaranthus	Individual	Support	Written Testimony Only

Comments:

Aloha, I am Dr. Mike Amaranthus and i am a retired ecologist and University Professor at Oregon State Unversity and condo owner at the whaler on Kaanapali. I have been coming to Kaanapali beach for over 20 years and get frequent visits from our 5 children, 9 grandchildren and friends. I support boat and water activities on Kaanapali beach. In 20 years i have seen whale and turtle populaitons increase, water quality improve. The reef remains intact, diverse and beautiful. Our family and friends appreciate the beauty of Kaanapali because they use the boats here frequently and learn so much about the ecology of the area from their boat rides. We know many locals who rely on the boats for their livelihood. These fine people have endured Covid, the Lahainia fire, and now are worried about losing their jobs. Please preserve boating activities on Kaanapali! Mahalo Dr Mike

HB-661-HD-1

Submitted on: 2/26/2025 8:05:54 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James Potoski	Individual	Support	Written Testimony Only

Comments:

Testimony in Strong Support of HB661 – Relating to Environmental Review

Aloha Chair and Members of the Committee,

My name is James Potoski and I am writing in strong support of HB661.

I work at the Sheraton Maui as a Pool Attendant and during every shift I witness catamarans taking out tourists and guests for ocean excursions. These trips are a mainstay for Kaanapali Beach tourism and the feedback I hear is that the participants loved the adventure and the smooth ride and whale-watching at this time of year. This bill is essential in ensuring that previously permitted activities can continue operating while undergoing environmental review if their permits are challenged. By allowing businesses to remain open during this process, HB661 helps maintain regulatory stability and prevents unnecessary disruptions for compliant operators.

HB661 upholds environmental protections while also preventing redundant reviews that can impose excessive financial and operational burdens on longstanding, law-abiding businesses. It strikes a fair balance between preserving Hawaii’s natural resources and supporting regulated commercial activities that have been an integral part of our local economy for years. Local residents need the jobs that compliant businesses create and the tax revenue is a healthy boost to the local economy. Taking that away would be an unwise decision.

I respectfully urge the committee to pass HB661 and help protect the Valley Isle’s local businesses and working families.

Mahalo for your time and consideration.

HB-661-HD-1

Submitted on: 2/26/2025 8:14:30 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Valerie Weiss	Individual	Oppose	Written Testimony Only

Comments:

Please shut this measure down. VOTE NO.

As a Kupuna having reached my late 70s, I have seen heart breaking human caused damage to the natural world and our oceans. In Hawaii we know better.

Our reefs are not for exploitation for individuals. We must protect the delicate balance that marine life provides and that we know is critical for the health of our reefs now and into the future. Let's leave our treasured ocean and reefs in good conditions for the future generations.

We know what is pono, and HB661, HD1 is not. Many, or even most, of these specimens looted from our reefs die before ever reaching an aquarium. It's shameful and it must stop.

My home is on Kauai, my 2nd home is in our ocean.

HB-661-HD-1

Submitted on: 2/26/2025 8:20:27 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sandra Stokes	Individual	Oppose	Written Testimony Only

Comments:

Please vote no on HB 661!

HB-661-HD-1

Submitted on: 2/26/2025 8:33:23 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ashley Davis	Individual	Support	Written Testimony Only

Comments:

Dear Chair, Vice Chair, and Members of the Committee,

Please support HB661 for ocean tour boats. This bill is essential for ensuring that ocean tourism operators in Kaanapali can continue their operations while undergoing environmental review. Without this bill, these longstanding, regulated operators face the risk of being shut down for years—even when they have complied with all permitting requirements.

These tour operators allow residents and visitors to experience Hawaii’s marine environment with minimal disruption, supporting conservation efforts through education and sustainable tourism practices.

This bill strikes a fair balance between protecting our natural resources through 343 and supporting the small ocean tour businesses that have operated responsibly under state oversight for decades.

Please pass HB661 to protect our local ocean tourism industry, the jobs it supports, and the families who depend on it.

HB-661-HD-1

Submitted on: 2/26/2025 8:33:46 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kemtis Kunanuraksapong	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am submitting this testimony in strong support of HB661, HD1.

West Maui’s small businesses, particularly those operating in Ka’anapali, are being unfairly caught up in a broader environmental issue—one that now threatens the livelihood of dozens of locally owned businesses and hundreds of West Maui families who rely on them. These businesses have long operated in full compliance with stringent regulations set by both the U.S. Coast Guard and the State of Hawai‘i, ensuring safe and responsible ocean activities.

While protecting our environment is critical, we must also ensure that local businesses and working families are not collateral damage in the process. HB661 provides a commonsense solution—allowing businesses that are already compliant with existing laws and regulations to continue operating while environmental assessments are completed. This approach achieves two critical goals:

1. Safeguarding the environment through proper assessments and planning.
2. Protecting local jobs and families who have already suffered immense economic hardship following the devastating wildfires.

West Maui cannot afford to lose more businesses and jobs due to unnecessary bureaucratic delays. This bill strikes a fair balance between environmental stewardship and economic stability. I strongly urge you to pass HB661 to protect our local businesses, preserve West Maui families’ livelihoods, and ensure that responsible operators can continue serving our community.

HB-661-HD-1

Submitted on: 2/26/2025 8:36:42 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ellie Leahey	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am submitting this testimony in strong support of HB661, HD1.

West Maui’s small businesses, particularly those operating in Ka’anapali, are being unfairly caught up in a broader environmental issue—one that now threatens the livelihood of dozens of locally owned businesses and hundreds of West Maui families who rely on them. These businesses have long operated in full compliance with stringent regulations set by both the U.S. Coast Guard and the State of Hawai‘i, ensuring safe and responsible ocean activities.

While protecting our environment is critical, we must also ensure that local businesses and working families are not collateral damage in the process. HB661 provides a commonsense solution—allowing businesses that are already compliant with existing laws and regulations to continue operating while environmental assessments are completed. This approach achieves two critical goals:

1. Safeguarding the environment through proper assessments and planning.
2. Protecting local jobs and families who have already suffered immense economic hardship following the devastating wildfires.

West Maui cannot afford to lose more businesses and jobs due to unnecessary bureaucratic delays. This bill strikes a fair balance between environmental stewardship and economic stability. I strongly urge you to pass HB661 to protect our local businesses, preserve West Maui families’ livelihoods, and ensure that responsible operators can continue serving our community.

Sincerely,

Ellie Leahey

HB-661-HD-1

Submitted on: 2/26/2025 8:46:12 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Samuel Lee	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Poepoe, and members of the Committee on Judiciary & Hawaiian Affairs,

My name is Samuel Lee and I strongly oppose HB661 HD1, which would allow a vast range of illegally authorized activities to continue, potentially indefinitely, without a mandated consideration of their environmental, cultural, and social impacts to our islands and our present and future generations.

Our environmental review law allows decisionmakers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

Unfortunately, the failure of certain departments to comply with this law before authorizing certain actions - such as permitting the take of an unlimited number of of ecologically critical marine specimens for the aquarium trade, or the decades-long dewatering of streams in East Maui - has resulted in severe and in some cases irreparable ecological, cultural, social, and economic harms that could and should have been avoided through the prudent planning embodied in our environmental review law.

By allowing illegally authorized activities to continue while environmental review challenges are resolved - something that has taken literal decades in the dewatering of East Maui's streams - this bill would turn our environmental review process into an afterthought, legitimizing unlawful and irresponsible agency practices that have inflicted and that will continue to inflict tremendous generational harms and injustices upon our islands and communities.

I urge you to hold HB661 HD1.

Sincerely,
Samuel

HB-661-HD-1

Submitted on: 2/26/2025 8:47:32 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sheryl Summers	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Poepoe, and Committee Members on Judiciary & Hawaiian Affairs,

My name is Sheryl Summers and I live in Hawi on Hawaii Island. I'm an ocean advocate. I long-distance swim at Mahukona several times a week.

I **strongly oppose** HB661, SD1, which would allow agencies to keep rubberstamping environmentally harmful activities (like commercial aquarium collection) until whenever the agencies may get around to actually looking at the impacts and doing anything about it.

I am deeply concerned how this bill would affect Hawai'i's reefs and lawai'a pono practices.

- Commercial aquarium collectors have devastated reef ecosystems around O'ahu and Hawai'i Island, extracting **hundreds of thousands of fish and invertebrates each year** in hotspots including West Hawai'i and Kāne'ohe Bay. Collected species include lau'ipala (yellow tang), kole (goldring surgeonfish), pāku'iku'i (Achilles tang), among many other native and endemic species that are critical for maintaining healthy reefs and supporting Native Hawaiian subsistence fishing and cultural practices.
- This reef life is sold and shipped in plastic bags to the continent and around the world to supply the **global pet market for ornamental reef fish**, instead of staying on the reefs to support ecosystem health and Native Hawaiian fishing practices that have been handed down for generations.
- Thanks to HEPA and recent court rulings, our reefs have **finally gotten a break from unlimited aquarium extraction** while the collectors and State look at environmental and cultural impacts, mitigation measures, and alternatives through the public environmental review process.
- Please let HEPA do its job to **inform agency decision-making beforehand**, rather than handing industry a free pass to continue causing harm for years on end until they get around to completing the environmental review process. This bill would turn HEPA review into an afterthought and meaningless formality to justify harm that's already been done . . . and can't be undone.
- This bill would **gut HEPA's whole purpose** and is unnecessary. HEPA provides for **exemptions of activities that have truly minor impacts**.

I strongly urge you to **VOTE NO** on **HB661**.

Sincerely,
Sheryl Summers

Hawi, HI 96719

HB-661-HD-1

Submitted on: 2/26/2025 8:50:11 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nick Croft	Individual	Support	Written Testimony Only

Comments:

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

My name is Nick Croft and I FULLY SUPPORT HB661. Why would you want to decimate small businesses before knowing the facts? It doesn't take long for a small business to close its doors due to no business. After Covid and the Lahaina fires, please give small businesses a break by looking at the facts first before killing their businesses. Many, MANY people will thank you! Please please please consider passing this to help the people!

Mahalo for your time,

Nick Croft

HB-661-HD-1

Submitted on: 2/26/2025 8:51:47 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lory Ono	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Poepoe, and members of the Committee on Judiciary & Hawaiian Affairs,

My name is Lory Ono, and I strongly oppose HB661 HD1, which would allow a vast range of illegally authorized activities to continue, potentially indefinitely, without a required consideration of their environmental, cultural, and social impacts to our islands and our present and future generations.

Our environmental review law allows decisionmakers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

Unfortunately, the failure of certain departments to comply with this law before authorizing certain actions - such as permitting the take of an unlimited number of ecologically critical marine specimens for the aquarium trade, or the decades-long dewatering of streams in East Maui - has resulted in severe and in some cases irreparable ecological, cultural, social, and economic harms that could and should have been avoided through the prudent planning embodied in our environmental review law.

By allowing illegally authorized activities to continue while environmental review challenges are resolved - something that has taken literal decades in the dewatering of East Maui's streams - this bill would turn our environmental review process into an afterthought, legitimizing unlawful and irresponsible agency practices that have inflicted and that will continue to inflict tremendous generational harms and injustices upon our islands and communities.

I urge you to **HOLD HB661 HD1**.

Sincerely,

Lory Ono

HB-661-HD-1

Submitted on: 2/26/2025 8:52:13 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
jessie croft	Individual	Support	Written Testimony Only

Comments:

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

My name is Jessie Croft and I SUPPORT HB661. Please help keep structure within our state. You can't grade a students paper before they're done writing it, so why shut down businesses before knowing the facts? This could have detrimental actions for many small businesses and families. We are all for protection of the enviroment and our resources but we need the facts first. What if an environment assessment shows no impact, but businesses were lost in that time for no reason? Please consider passing HB661.

Mahalo nui loa,

Jessie Croft

HB-661-HD-1

Submitted on: 2/26/2025 8:54:23 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shyla Moon	Individual	Support	Written Testimony Only

Comments:

We should be allowing legal business and recreational activities during the process.

HB-661-HD-1

Submitted on: 2/26/2025 8:56:16 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Peter o riordan	Individual	Support	Written Testimony Only

Comments:

TESTIMONY SAMPLE:

Dear Chair, Vice Chair, and Members of the Committee,

My name is Peter O Riordan

Please support HB661 for ocean tour boats. This bill is essential for ensuring that ocean tourism operators in Kaanapali can continue their operations while undergoing environmental review. Without this bill, these longstanding, regulated operators face the risk of being shut down for years—even when they have complied with all permitting requirements.

These tour operators allow residents and visitors to experience Hawaii’s marine environment with minimal disruption, supporting conservation efforts through education and sustainable tourism practices.

This bill strikes a fair balance between protecting our natural resources through 343 and supporting the small ocean tour businesses that have operated responsibly under state oversight for decades.

Please pass HB661 to protect our local ocean tourism industry, the jobs it supports, and the families who depend on it.

Mahalo nui loa

HB-661-HD-1

Submitted on: 2/26/2025 8:58:22 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anthony o riordan	Individual	Support	Written Testimony Only

Comments:

TESTIMONY SAMPLE:

Dear Chair, Vice Chair, and Members of the Committee,

Please support HB661 for ocean tour boats. This bill is essential for ensuring that ocean tourism operators in Kaanapali can continue their operations while undergoing environmental review. Without this bill, these longstanding, regulated operators face the risk of being shut down for years—even when they have complied with all permitting requirements.

These tour operators allow residents and visitors to experience Hawaii’s marine environment with minimal disruption, supporting conservation efforts through education and sustainable tourism practices.

This bill strikes a fair balance between protecting our natural resources through 343 and supporting the small ocean tour businesses that have operated responsibly under state oversight for decades.

Please pass HB661 to protect our local ocean tourism industry, the jobs it supports, and the families who depend on it.

Testimony for HB661

Subject: Testimony in Strong Support of HB661 – Relating to Environmental Review

Aloha Chair and Members of the Committee,

My name is David Olney and I strongly **support HB661**.

HB661 allows previously permitted activities to continue operating while undergoing environmental review if permits are challenged. This is critical for ensuring regulatory stability and preventing unnecessary interruptions for compliant businesses.

My wife and I am are avid recreational scuba divers with over 700 dives logged on Maui and over 1,400 dives worldwide (Indonesia, Bahamas & Central America). In addition, I have worked for the Hyatt Regency Maui for the past nine years. I can attest that if HB661 is declined it will have an immediate and irreparable impact on the Lahaina tourism industry which already has been crippled during Covid and after the Lahaina fire. Hyatt Regency Maui already has already lost the majority of our 3rd party shops due to the impact from the fore mentioned (Macy's, Marilyn Monroe Spas, Sunglass Hut, Maui Hands, Ululani's, Red Dahlia, Maui Jim Sunglasses just to name a few). In my experience over the past nine years, the compliant businesses have been extremely cautious not to impact the coral and sea life as it is their and our livelihood.

This bill also recognizes the importance of maintaining environmental standards while avoiding redundant reviews. It strikes a fair balance between protecting Hawaii's natural resources and supporting long-standing, regulated operations.

History has shown that activities that have lost their permits and been shut down (e.g., the Super Ferry, Aquatic Fish Collectors, etc.,) don't come back. Please do not let this be the case for the hundreds of businesses and thousands of residents that depend on these activities for their livelihoods.

Please pass HB661 and support our local families and businesses.

Mahalo for considering this testimony.

Sincerely,
David Olney

Resident and Director of Finance for the Hyatt Regency Maui Resort and Spa

HB-661-HD-1

Submitted on: 2/26/2025 9:06:04 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gloria Jernigan	Individual	Oppose	Remotely Via Zoom

Comments:

Honorary Vice Chair and of The Judiciary Committee,

Please vote No on HB611 , because it will harm the environment greatly.

G. Jernigan

92-1259 Hoike Place

Kapolei, Oahu 96707

323.287.6781

HB-661-HD-1

Submitted on: 2/26/2025 9:06:07 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Christopher Gervacio	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is Chris, and I am a proud beach and pool attendant at a Ka‘anapali resort. I stand in full support of this bill and hope to see it move forward. The work we do on Ka‘anapali Beach is more than just a job—it’s a way of life, one that allows me to call Maui home and provide for my ‘ohana. Protecting and sustaining our industry means securing a future for local families like mine.

Mahalo nui loa,

Chris

HB-661-HD-1

Submitted on: 2/26/2025 9:12:52 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Maki Morinoue	Individual	Oppose	Written Testimony Only

Comments:

Protecting Hawai'i's Marine Ecosystems from Exploitation

Aloha Chair, Vice Chair, and Committee Members,

I stand before you today in strong opposition to HB661 HD1, a bill that would critically undermine decades of environmental protections and cultural respect in our islands. This legislation represents a dangerous precedent that threatens to bypass proper environmental review processes for commercial activities that have already been determined to be unlawful.

Environmental Devastation Under the Guise of "Grandfathering"

HB661 HD1 would effectively allow previously unauthorized commercial activities—most notably the commercial aquarium collection—to continue without proper environmental assessment. Our reefs are not inexhaustible resources to be harvested for mainland aquariums and international luxury markets. They are living ecosystems that support our island's biodiversity, protect our shorelines, and sustain our communities.

Scientific studies have consistently shown that reef fish play critical roles in maintaining healthy coral ecosystems. The targeted removal of herbivorous fish and other keystone species disrupts the delicate balance that has evolved over millennia. With climate change already threatening our reefs through coral bleaching events, adding the additional pressure of commercial collection is both environmentally reckless and morally indefensible.

Cultural Desecration and Disrespect of Native Hawaiian Values

For Native Hawaiians, the reef and its inhabitants are not commodities but family—part of a sacred genealogical connection between people and place. The concept of aloha 'āina (love of the land) and mālama i ke kai (care for the ocean) are foundational cultural values that have guided sustainable resource management for generations.

This bill fundamentally disrespects these indigenous values and traditional knowledge systems by prioritizing commercial interests over cultural preservation. It dismisses the spiritual and cultural significance of marine life to Hawai'i's indigenous people and threatens practices that have sustained these islands for centuries. Going AGAINST the Department of Land and

Natural Resources' own Mission to place in priority Culture over Profit! Also not in alignment with our Hawai'i State Constitution and the Ka Pa'akai Analysis.

Economic Shortsightedness

While proponents may argue this bill preserves jobs, they fail to acknowledge the far greater economic value of intact marine ecosystems. Our tourism industry—the backbone of Hawai'i's economy—depends on healthy, vibrant reefs that visitors can experience. The short-term gain for a small number of collectors pales in comparison to the long-term economic benefits of reef conservation.

Furthermore, the aquarium trade primarily exports the wealth of our islands elsewhere, while the environmental consequences remain here for our communities to bear. This is not sustainable economic development; it is exploitation.

Undermining Democracy and Legal Precedent

The courts have already ruled that proper environmental review is required for commercial aquarium collection. HB661 HD1 represents an attempt to circumvent these judicial decisions and the will of the people of Hawai'i, who have consistently voiced their opposition to this destructive practice.

By creating a special carve-out for previously unauthorized activities, this bill sets a dangerous precedent that undermines environmental law and democratic processes in our state.

Call to Action

I urge this committee to reject HB661 HD1 and instead support policies that:

1. Uphold the integrity of our environmental review processes
2. Respect Native Hawaiian cultural values and traditional ecological knowledge
3. Protect our marine resources for future generations
4. Develop truly sustainable economic opportunities that benefit local communities

Our keiki deserve to inherit reefs teeming with the same abundance and diversity that has sustained these islands for generations. HB661 HD1 threatens this birthright and must be opposed.

With deep concern for our 'āina, kai, and the perpetuation of our ecosystem,

Maki Morinoue
Holualoa, HI

HB-661-HD-1

Submitted on: 2/26/2025 9:14:14 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jayden Walker	Individual	Support	Written Testimony Only

Comments:

Aloha,

I support HB661 HD1. Please pass this bill.

TESTIMONY IN SUPPORT OF HB661

Dear Chair, Vice Chair, and Members of the Committee,

I urge you to support HB661, a critical bill that ensures the continuation of responsible ocean tourism operations in Kaanapali while undergoing environmental review. Without this measure, longstanding, state-regulated tour operators—who have complied with all permitting requirements—face the risk of being shut down for years, causing unnecessary economic and community hardship.

For over 30 years, I have worked in Maui’s tourism and hospitality industry, witnessing firsthand the essential role that ocean tour businesses play in both our economy and environmental stewardship. These operators provide residents and visitors with a deep appreciation for Hawaii’s marine ecosystem, fostering conservation through education and sustainable practices.

HB661 strikes a fair and necessary balance—protecting our natural resources through environmental review while allowing these responsible, locally rooted businesses to continue operating. Failing to pass this bill would not only disrupt the livelihoods of many families but could also set a harmful precedent that extends negative impacts beyond Maui to other islands.

I respectfully ask for your support in passing HB661 to protect our local ocean tourism industry, the jobs it sustains, and the communities that rely on it.

Mahalo for your time and consideration.

Sincerely,
Myra Galinato
Vice President
Blue Hawaiian Activities

HB-661-HD-1

Submitted on: 2/26/2025 9:18:23 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alana Yuranin	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Poepoe, and Committee Members on Judiciary & Hawaiian Affairs,

My name is Alana Yurkanin and I **strongly oppose HB661**, which would allow a vast range of illegally authorized activities to continue, potentially indefinitely, without a required consideration of their environmental, cultural, and social impacts to our islands and our present and future generations.

Our environmental review law allows decisionmakers and the public to make more fully informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

Unfortunately, the failure of certain departments to comply with this law before authorizing certain actions - such as permitting the take of an unlimited number of of ecologically critical marine specimens for the aquarium trade, or the decades-long dewatering of streams in East Maui - has resulted in severe and in some cases irreparable ecological, cultural, social, and economic harms that could and should have been avoided through the prudent planning embodied in our environmental review law.

By allowing illegally authorized activities to continue while environmental review challenges are resolved - something that has taken literal decades in the dewatering of East Maui's streams - this bill would turn our environmental review process into an afterthought, legitimizing unlawful and irresponsible agency practices that have inflicted and that will continue to inflict tremendous generational harms and injustices upon our islands and communities.

I urge you to **HOLD HB661**.

Sincerely,
Alana Yurkanin, a concerned individual

HB-661-HD-1

Submitted on: 2/26/2025 9:23:37 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Judith Jennet	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Poepoe, and Committee Members on Judiciary & Hawaiian Affairs,

My name is Judith Jennet and I **strongly oppose HB661**, which would allow a vast range of illegally authorized activities to continue, potentially indefinitely, without a required consideration of their environmental, cultural, and social impacts to our islands and our present and future generations.

Please save our reefs from which many folks earn a living and many tourists appreciate as part of their holidays in Hawaii.

Our environmental review law allows decisionmakers and the public to make more fully informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

Unfortunately, the failure of certain departments to comply with this law before authorizing certain actions - such as permitting the take of an unlimited number of ecologically critical marine specimens for the aquarium trade, or the decades-long dewatering of streams in East Maui - has resulted in severe and in some cases irreparable ecological, cultural, social, and economic harms that could and should have been avoided through the prudent planning embodied in our environmental review law.

By allowing illegally authorized activities to continue while environmental review challenges are resolved - something that has taken literal decades in the dewatering of East Maui's streams - this bill would turn our environmental review process into an afterthought, legitimizing unlawful and irresponsible agency practices that have inflicted and that will continue to inflict tremendous generational harms and injustices upon our islands and communities.

I urge you to **HOLD HB661**.

Sincerely,
Judith Jennet

HB-661-HD-1

Submitted on: 2/26/2025 9:23:54 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Maurice Vitcovich	Individual	Support	Written Testimony Only

Comments:

Aloha Commity members,

My name is Kapena, and I work tourism industry at an amazing Ka‘anapali resort. I strongly support this bill because visitors are everything in my line of work. Every day, I see firsthand how important it is to have guests visit the beach. I truley belive this will heavily impact Maui's occupancy if operations have to stop during the Enviornmental study.

This bill isn't just about business—it's about protecting workers like me, the visitors we serve, and the future of our island's tourism industry. Keeping our beaches safe means keeping our jobs secure and our community thriving.

Mahalo,

Kapena

HB-661-HD-1

Submitted on: 2/26/2025 9:24:06 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jeffrey Melcher	Individual	Support	Written Testimony Only

Comments:

I support this bill

HB-661-HD-1

Submitted on: 2/26/2025 9:26:33 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jim McKennon	Individual	Support	Written Testimony Only

Comments:

I am a frequent traveler to Hawaii and Maui in particular. I go to Maui from the mainland due to the interaction with the islands beautiful water. From surfing to swimming, I love being on the water. Going on excursions like kayaking, sailing, snorkling in coves in water it cannot be beat. If I cannot do these things, there is no reason to travel to Hawaii and can stay on the mainland. Any decision that adversely affects operators ability to offer their ecofriendly services is a travesty-impacting tourism, employment, taxation and, most importantly denying people the enjoyment of the island's great assets.

please support the passing of the bill!

HB-661-HD-1

Submitted on: 2/26/2025 9:27:54 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Richard Bodien	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Committee Members,

I strongly oppose HB661 HD1, which undermines environmental protections by allowing unauthorized commercial activities—particularly aquarium collection—to continue without proper assessment.

I urge the rejection of HB661 HD1 in favor of policies that protect our marine resources, respect Native Hawaiian values, and create truly sustainable economic opportunities.

HB-661-HD-1

Submitted on: 2/26/2025 9:28:26 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Klayton Kubo	Individual	Support	Remotely Via Zoom

Comments:

Support

HB-661-HD-1

Submitted on: 2/26/2025 9:37:46 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mario Monroy	Individual	Support	Written Testimony Only

Comments:

My name is Captain Mario Monroy and I support HB661. Currently, I am employed by Teralani Sailing, a commercial tour boat company working in Ka'anapali. Teralani has been legally operating with a permit in Ka'anapali for 30 years. I can attest that we all have a love and respect for the ocean. It's why we do what we do.

For 17 years I've worked in boats on the westside of maui. I started as a deckhand and have become a captain. I love sharing my passion with the wonderful guest that visit our island each year.

i think of myself as an ambassador of maui and love sharing its natural wonders.

i can't think of anything else id rather be doing . It is here that i e learned so much about Hawaiian history and its culture.

as I take to the sea everyday i can only think of the echos of time and how King Kamehameha launched a thousand canoes from the very beaches I launch from . How he unified the islands and now that very same culture is being threatened.

Taking away what we love to do and also taking away our livelihood and the livelihood of hundreds of others in Ka'anapali who rely on our water activities to support themselves and their families would be tragic. It would be a burden to many who have already been through so much in west Maui. It would also be a burden on the county and the state with so many people losing employment.

Please pass HB661.

HB-661-HD-1

Submitted on: 2/26/2025 9:39:57 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Landon Dagupion	Individual	Support	Written Testimony Only

Comments:

Aloha commity members,

I support HB661 as a worker in Ka'anapali beach.

Mahalo,

Landon

February 25,2025

Aloha, Chair Tarnas, Vice Chair Poepoe, and Committee Members on Judiciary & Hawaiian Affairs,

My name is Benjy Garfinkle, and I live at 64-991 Mamalahoa Hwy on the Big Island of Hawaii. I'm an ocean advocate.

I **strongly oppose** HB661, SD1, which would allow agencies to keep rubberstamping environmentally harmful activities (like commercial aquarium collection) until whenever the agencies may get around to actually looking at the impacts and doing anything about it.

I am deeply concerned how this bill would affect Hawai'i's reefs and lawai'a pono practices.

- Commercial aquarium collectors have devastated reef ecosystems around O'ahu and Hawai'i Island, extracting **hundreds of thousands of fish and invertebrates each year** in hotspots including West Hawai'i and Kāne'ohe Bay. Collected species include lau'ipala (yellow tang), kole (goldring surgeonfish), pāku'iku'i (Achilles tang), among many other native and endemic species that are critical for maintaining healthy reefs and supporting Native Hawaiian subsistence fishing and cultural practices.
- This reef life is sold and shipped in plastic bags to the continent and around the world to supply the **global pet market for ornamental reef fish**, instead of staying on the reefs to support ecosystem health and Native Hawaiian fishing practices that have been handed down for generations.
- Thanks to HEPA and recent court rulings, our reefs have **finally gotten a break from unlimited aquarium extraction** while the collectors and State look at environmental and cultural impacts, mitigation measures, and alternatives through the public environmental review process.
- Please let HEPA do its job to *inform agency decision-making beforehand*, rather than handing industry a free pass to continue causing harm for years on end until they get around to completing the environmental review process. This bill would turn HEPA review into an afterthought and meaningless formality to justify harm that's already been done . . . and can't be undone.
- This bill would **gut HEPA's whole purpose** and is unnecessary. HEPA provides for **exemptions of activities that have truly minor impacts**.

I strongly urge you to **VOTE NO** on **HB661**.

Sincerely,

Benjy Garfinkle

808-651-2764

HB-661-HD-1

Submitted on: 2/26/2025 9:46:18 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chasen Kusunoki	Individual	Support	Written Testimony Only

Comments:

Submitted by: Chasen Kusunoki

Date: Feb 26

Dear Chair, Vice Chair, and Members of the Committee,

Aloha, my name is Chasen, and I rely on Maui’s tourism industry to make a living. I am writing in strong support of HB661 because, without a steady stream of visitors, I wouldn’t be able to afford rent, put food on the table, or cover basic expenses.

For many of us who work in tourism, this isn’t just a job—it’s our lifeline. Every day, I work hard to welcome visitors, provide them with exceptional service, and ensure they have an unforgettable experience in Hawaii. But if tourism declines or if workers aren’t given the stability we need, it directly impacts my ability to survive. Bills like HB661 help protect the jobs that keep us afloat and ensure that those of us who dedicate ourselves to this industry are treated fairly.

Living in Hawaii is expensive, and I, like so many others, depend on a thriving tourism industry to continue calling this place home. I urge you to support HB661 to help protect the livelihoods of those who work tirelessly to make Hawaii a world-class destination.

Mahalo for your time and consideration.

Sincerely,

Chasen Kusunoki

HB-661-HD-1

Submitted on: 2/26/2025 9:49:02 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kahina	Individual	Oppose	Written Testimony Only

Comments:

Protecting Hawai'i's Marine Ecosystems from Exploitation

Aloha Chair, Vice Chair, and Committee Members,

I strongly oppose HB661 HD1, which undermines environmental protections by allowing unauthorized commercial activities—particularly aquarium collection—to continue without proper assessment.

Environmental Impact: Reef fish maintain healthy coral ecosystems. Herbivore fish eat the algae growing on the coral which allows the coral to breathe and survive. Their removal disrupts ecological balance at a time when climate change already threatens our reefs.

Cultural Concerns: This bill disrespects Native Hawaiian values of aloha 'āina and mālama i ke kai. It contradicts the DLNR's mission of prioritizing culture over profit and violates both Hawai'i's State Constitution and Kapa'akai Analysis.

Economic Reality: While claiming to preserve jobs, the bill ignores tourism's dependence on healthy reefs. The benefits to a few collectors are outweighed by long-term costs to our environment and economy.

Legal Issues: Courts have ruled that environmental review is required for commercial aquarium collection. HB661 HD1 attempts to circumvent these decisions and the will of Hawai'i's people.

I urge the rejection of HB661 HD1 in favor of policies that protect our marine resources, respect Native Hawaiian values, and create truly sustainable economic opportunities.

With deep concern for our 'āina, kai, and the perpetuation of our ecosystem,

Kahina Hewitt
Kona, Hawai'i

HB-661-HD-1

Submitted on: 2/26/2025 9:51:01 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Patrick Laughlin	Individual	Support	Written Testimony Only

Comments:

I, Patrick Laughlin, am submitting this testimony in strong support of HB661, HD1.

West Maui’s small businesses, particularly those operating in Ka‘anapali, are being unfairly caught up in a broader environmental issue—one that now threatens the livelihood of dozens of locally owned businesses and hundreds of West Maui families who rely on them. These businesses have long operated in full compliance with stringent regulations set by both the U.S. Coast Guard and the State of Hawai‘i, ensuring safe, responsible and ecologically friendly ocean activities.

While protecting our environment is critical, we must also ensure that local businesses and working families are not collateral damage in the process. HB661 provides a fair middle ground and a commonsense solution by allowing businesses that are already compliant with existing laws and regulations to continue operating while environmental assessments are completed.

Mahalo,

Patrick Laughlin

HB-661-HD-1

Submitted on: 2/26/2025 9:51:44 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Willy Latu	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is Willy Latu, and I am writing in strong support of HB661. I work on Ka'anapali Beach, and my ability to earn a living and continue calling Maui home depends on the success of our tourism industry. If this bill is not supported and moved forward, many of us who rely on tourism for our livelihood will face serious challenges.

I urge you to support HB661 and stand with the residents of Maui who work hard every day to keep this industry thriving.

Mahalo for your time and consideration,

Willy Latu

HB-661-HD-1

Submitted on: 2/26/2025 9:52:16 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
kiriana lawrence	Individual	Support	Written Testimony Only

Comments:

Testimony in Support of HB 661 - Relating to Environmental Review

Aloha,

My name is Kiriana Lawrence, and I am writing to express my strong support for HB 661. This bill is crucial for ensuring that we can protect the environment without forcing the closure of local businesses that depend on the livelihood of so many hardworking individuals like myself.

Kaanapali Surf Club is more than just a surf school; it's a lifeline for so many local families. I urge you to pass HB 661 to ensure that businesses like ours can continue to operate, provide jobs, and help support the economic recovery of Maui.

Thank you for your time and consideration.

Mahalo,

Kiriana Lawrence

HB-661-HD-1

Submitted on: 2/26/2025 9:57:59 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jamie Kenney	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is Jamie, and I am writing in strong support of HB661. I work on Ka'anapali Beach, and like so many others in the tourism industry, my ability to earn a living and remain on Maui depends on the success of this sector. Without the support of this bill, the stability of my income and my future here would be at risk.

I urge you to support HB661 and stand with the hardworking residents of Maui who keep our tourism industry thriving.

Mahalo for your time and consideration,

Jamie Kenney

HB-661-HD-1

Submitted on: 2/26/2025 10:01:18 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tiani Ruiz	Individual	Oppose	Written Testimony Only

Comments:

Aloha mai kākou, I am from the island of Kauai, and I **STRONGLY OPPOSE** HB661, HD1, which would gut HEPA, one of our bedrock environmental laws. HEPA requires consideration of the environmental and cultural impacts of activities *before* they occur. instead, the bill would allow state agencies like DLNR ot keep rubberstamping permits until whenever they may get around to actually looking at the impacts.

DLNR has for years rubberstamped diversions of billions of gallons of water in East Maui and Kaua`i and extraction of millions of reef fish on Hawai`i and O`ahu, without ever looking at the impacts. Communities have successfully taken the agency to court to demand accountability by DLNR. This bill would eliminate this progress and hand these destructive activities a free pass.

This bill isn't necessary and is the result of a scare campaign aimed at gutting our environmental protections. HEPA is meant to apply broadly to promote environmental consciousness, but nonetheless provides for exemptions of activities that have minor imp[acts]. This bill instead seeks to give a blanket free pass to commercial users of our public trust land, water, and ocean resources, no matter what the harms. it takes a sledgehammer to the law to swat at a fly.

The bill joins the all-out war against our environmental protections by the Trump administration and corporate interests. Hawai`i should know and do better than this and not wreck our bedrock laws that uphold fundamental principles of environmental stewardship and democracy.

I storngly urge you to **VOTE NO on HB661, HD1.**

Mahalo nui for your time, Tiani Ruiz

HB-661-HD-1

Submitted on: 2/26/2025 10:05:00 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jeannette Heidrich	Individual	Oppose	Written Testimony Only

Comments:

Please vote NO on HB661!!!! Save the fish on the reefs, protect for future people Hawaiian citizens and their families as well as visitors. this is a unique resource!!! the federal government will not help.

HB-661-HD-1

Submitted on: 2/26/2025 10:13:07 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Melissa Leahey	Individual	Support	Written Testimony Only

Comments:

My name is Melissa Leahey and I strongly support HB661

As a resident and employee of West Maui, we have already endured so many hardships. Please support us while we continue to recover by passing HB661.

I am for the environment and HB661 simply allows our Ka'anapali employees to continue earning a living while undergoing any required environmental reviews if permits are challenged.

Our industry has operated for over 40 years and is highly regulated by the USCG and existing State administrative rules; all of the operations on Ka'anapali Beach are and have been in compliance with.

This bill strikes a fair balance between protecting Hawaii's natural resources while supporting long-standing, regulated ocean activities operation.

Forcing lawfully permitted operators to shut down for years while spending hundreds of thousands of dollars to conduct environmental studies will inevitably lead to the closure of local business and the loss of job for me, and so many more of our West Maui residents.

History has shown that activities that have lost their permits and been shut down don't come back. Please do not let this be the case for the hundreds of businesses and thousands of residents that depend on these activities for their livelihoods.

Please pass HB661 and support our local families and businesses.

Mahalo for considering my testimony.

Melissa Leahey

HB-661-HD-1

Submitted on: 2/26/2025 10:14:59 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brandon Chu	Individual	Support	Written Testimony Only

Comments:

Testimony in Strong Support of HB661 – Relating to Environmental Review

Aloha Chair and Members of the Committee,

My name is Brandon Chu, and I am writing in strong support of HB661

I will start by saying I'm in support of protecting Maui's natural resources and conducting an environmental review. This bill allows for this to happen without shutting down local business's who have been lawfully operating with permits for decades in Ka'anapali. HB661 acknowledges the significant KNOWN impact on our community and provides a fair condition in which to conduct an environmental review without further devastating our local job market. We need your support to help us here on Maui, if HB661 is not passed it will be another blow to all of us who work in the hospitality and tourism industry.

Please support HB661.

Mahalo

HB-661-HD-1

Submitted on: 2/26/2025 10:23:26 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James Kastner	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

Caring for our world as we would for a cherished elder is reasonable, applying the most protective intelligence to habitats on land and sea must be a highest priority!

We, the undersigned, **strongly oppose HB 661 HD1**, which would amend the Hawai'i Environmental Policy Act (HEPA), to allow activities previously "undertaken by an applicant" to continue, while still pending environmental review, even if causing irreversible environmental damage and challenged under HEPA.

This bill would severely undermine core protections for Native Hawaiian rights and Hawai'i's foundational environmental law, potentially leading to substantial, irreversible environmental and cultural harm.

Stopping an activity from proceeding during HEPA review is a fundamental principle of the law and ensures that precious public and cultural resources are not destroyed before the public has input and "environmental concerns are given appropriate consideration in decision making." (HRS. 343).

In addition, we have substantial concerns about the enormous loophole created for extractive activities in marine areas, including protected and nearshore areas.

The proposed amendment to HEPA states that the amendment "*shall not apply to activities involving construction, grading, dredging, or other structural modifications to land, waterways, or marine environments*" but would apply to a wide range of potentially permanently damaging commercial and "non-commercial" extractive activities in state waters for which there are already clear examples of irreparable damage. We are deeply concerned about commercial and industrial levels of "non-commercial" extractive activities, including fishing, in state waters.

Papahānaumokuākea

Over a hundred thousand people fought for the establishment of the strongest possible protections for the Northwestern Hawaiian Islands – leading to the creation of the Northwestern Hawaiian Islands (NWHI) State Refuge as well as for protections in federal waters, including the establishment of the NWHI Coral Reef Reserve in 2000 and the Papahānaumokuākea Monument in 2006.

The strong protections of the Reserve, State Refuge, and Monument were established as a result of public outrage over decades of the state’s refusal to exercise jurisdiction and refusal to implement HEPA in the state waters of the NWHI. This allowed Wespac lobster fishers and poachers to destroy lobster populations in state waters contributing to the starvation of the nearly extinct Hawaiian monk seals, the most endangered pinniped in the world! Past commercial fishing vessels slammed into reefs damaging corals and releasing thousands of gallons of fuel, hydraulic and motor oil, fishing gear and other contaminants into the NWHI marine environment. Sadly, lobster stocks have never recovered.

Allowing significant extractive activities – whether labelled commercial or “non-commercial” – in state waters in the absence of HEPA review has already led to permanent harm. Should protections in fragile Papahānaumokuākea be weakened in the future, this proposed enormous loophole could potentially be used to allow unchecked destruction of precious Papahānaumokuākea natural and cultural resources in state waters.

The proposed changes would allow environmental damage to continue unabated in state waters of the Main Hawaiian Islands while “waiting” - potentially for *decades* - for the completion of an environmental review.[1]

Concerns about the negative impact on traditional cultural resources and practices

According to the Office of Hawaiian Affairs (OHA):

“HEPA is frequently a vehicle for OHA’s beneficiaries to ensure protection of their rights including the exercise of traditional and customary practices. As just one example, the commercial aquarium trade had never been subject to environmental review prior to a 2017

ruling from the Hawai‘i Supreme Court, and was subsequently enjoined in certain areas pending HEPA compliance. Traditional Native Hawaiian fishers and cultural practitioners were among the plaintiffs in that landmark ruling to ensure careful consideration of how this extractive commercial enterprise affects others who depend on the same resources for subsistence and cultural practices. This is simply one example of many illustrating the importance of this law to the individuals and communities that OHA represents. However, if the amendment proposed in HB661 had been in place in 2017, unchecked commercial extraction would have continued pending environmental review.”

Negating HEPA’s fundamental purpose

This amendment of HEPA is being proposed in response to the claim that recent court decisions “have broadened the definition of an environmental ‘action.’” This is untrue.

According to Earthjustice:

“If anything, the courts and the 2019 HEPA rules have narrowed the definition of “action.”

HEPA already expressly provides that agencies may exempt from environmental review “specific types of actions, because they will probably have minimal or no significant effects on the environment.” Haw. Rev. Stat. § 343-6(a)(2).

This provision has been in place and available to state agencies for decades. Agency inaction in processing appropriate exemptions is no reason to undercut HEPA’s core requirements and fundamentally alter the landscape of environmental protection in Hawai‘i Nei.”

“Exempting ongoing permitted activities under HEPA would mean that, in instances where such activities are in fact causing environmental damage, they would be allowed to continue unabated, even if environmental review is required or completed...It threatens to undo decades of environmental progress in Hawai‘i, and it is entirely unnecessary to achieve its stated goals.”

The proposed amendment “*would negate HEPA’s fundamental purpose for a broad subset of permitted activities, allowing irreparable environmental harm.*”

We strongly urge you to oppose these amendments to HEPA.

Mahalo for the opportunity to submit this testimony.

Be Well! James Kastner

HB-661-HD-1

Submitted on: 2/26/2025 10:26:46 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan Olson	Individual	Oppose	Written Testimony Only

Comments:

I have been a resident of Kailur-Kona for 14 years. I am a full-time volunteer for many cultural and environmental projects to help restore Hsawaiian culture and natural resources which have been sadly lost or denigrated by greedy, profit-seeking individuals and businesses.

As a snorkeler and "citizen scientist", I participate in fish counts and coral observations.

I STRONGLY OPPOSE HB661 HD1 which would allow illegally authorized activities to continue without a required consideration of environmental, cultural and social impacts to our islands.

Our environmental review law allows decision makers and the public to make more fully-informed decisions that can mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, and minimizing adverse outcomes.

Unfortunately, the failue of certain departments to comply with this law before authorizing certain actions, such as permitting the take of an unlimited number of ecologically critical marine specimens for the aquarium trade, has resulted in severe ecological, cultural and economic harm.

By allowing illegally authorized activities to continue while environmental review challenges are resolved, this bill would turn our environmental review process into an afterthought, legitimizing unlawful and irresponsible agency practics that have inflicted tremendous damage and injustices upon our islands and cultural communities.

I urge you to HOLD HB661 HD1

Sincerely,

Susan Olson

75-6081 Alii Dr. #f102

Kailua-Kona, HI 96740

HB-661-HD-1

Submitted on: 2/26/2025 10:32:15 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kodiak Bostick	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is Kodiak, and I am writing in strong support of HB661. As the head of my household, I rely on my job on Ka'anapali Beach to provide for my family and keep a roof over our heads. The stability of my income and my ability to continue living on Maui depend on the strength of our tourism industry. Without the support of this bill, families like mine will face even greater challenges in an already high-cost environment.

I urge you to support HB661 and help protect the livelihoods of hardworking Maui residents who depend on tourism to support their families and communities.

Mahalo for your time and consideration,

Kodiak Bostick

HB-661-HD-1

Submitted on: 2/26/2025 10:33:31 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susie Davis	Individual	Oppose	Written Testimony Only

Comments:

To Chair Tarnas, Vice Chair Poepoe, and Committee Members on Judiciary & Hawaiian Affairs,

I live in [place] on the island of Hawaii and I **strongly oppose** HB661, SD1.

This bill would allow agencies to keep rubberstamping environmentally harmful activities (like commercial aquarium collection) until whenever the agencies may get around to actually looking at the impacts and doing anything about it.

Commercial aquarium collectors have devastated reef ecosystems around O‘ahu and Hawai‘i Island, extracting **hundreds of thousands of fish and invertebrates each year** in hotspots including West Hawai‘i and Kāne‘ohe Bay. Collected species include native and endemic species that are critical for maintaining healthy reefs and supporting Native Hawaiian subsistence fishing and cultural practices.

But, thanks to HEPA and recent court rulings, our reefs have **finally gotten a break from unlimited aquarium extraction** while the collectors and State look at environmental and cultural impacts, mitigation measures, and alternatives through the public environmental review process.

Please let HEPA continue to do its job to *inform agency decision-making beforehand*, rather than handing industry a free pass to continue causing harm for years on end until they get around to completing the environmental review process. This bill would turn HEPA review into an afterthought and meaningless formality to justify harm that’s already been done . . . and can’t be undone.

I strongly urge you to **VOTE NO** on **HB661**.

Sincerely,
Susie Davis

HB-661-HD-1

Submitted on: 2/26/2025 10:38:33 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tyler Thompson	Individual	Support	Written Testimony Only

Comments:

Aloha,

I fully support the passing of HB661 as I rely on visitors at Ka'anapali Beach. This will drastically impact travelers if it is not passed.

Mahalo,

Tyler Thomsen

HB-661-HD-1

Submitted on: 2/26/2025 10:39:42 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dylan Stelly	Individual	Support	Written Testimony Only

Comments:

I am Dylan Stelly and I strongly support HB661.

Lahaina and West Maui have already endured so many hardships. Please support us while we continue to recover.

HB661 allows previously permitted activities to continue operating while undergoing environmental review if permits are challenged.

This bill strikes a fair balance between protecting Hawaii's natural resources while supporting long-standing, regulated ocean activities operation.

Forcing lawfully permitted operators to shut down for years while spending hundreds of thousands of dollars to conduct environmental studies will inevitably lead to the closure of local business and the loss of job for even more.

History has shown that activities that have lost their permits and been shut down (e.g., the Super Ferry, Aquatic Fish Collectors, etc.) don't come back. Please do not let this be the case for the hundreds of businesses and thousands of residents that depend on these activities for their livelihoods.

Please pass HB661 and support our local families and businesses.

Mahalo for considering my testimony,

HB-661-HD-1

Submitted on: 2/26/2025 10:41:38 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
anja liotta	Individual	Support	Written Testimony Only

Comments:

My name is Anja Liotta, and I am writing in strong support of HB661.

I believe it is crucial to prioritize the protection of Maui’s natural resources through an environmental review, but I also strongly support the idea that we can achieve this without disrupting the livelihoods of local businesses that have been operating lawfully for years. SB1074 SD1 recognizes the known impact that changes will have on our community, and it ensures that we can conduct an environmental review in a way that is both fair and sustainable for all involved.

Our community, our island, and our economy have faced immense challenges, especially with the devastating fires of August 2023. This bill offers a path forward that allows us to continue to care for our environment while also ensuring that the hardworking members of our industries are not left without work. The impact of any decision here affects thousands of workers who rely on these businesses to support their families.

Mahalo,
Anja

HB-661-HD-1

Submitted on: 2/26/2025 10:43:12 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lewis Moreno	Individual	Support	Written Testimony Only

Comments:

Aloha, My name is Lewis Moreno.

I'm writting to show my support for bill HB661. Our local economy would be deeply impacted by suspended a portion of our bussinesses. I urge that you consider this before making a decision.

Thank you,

Leiws A. Moreno

8084639526

HB-661-HD-1

Submitted on: 2/26/2025 10:44:53 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anita Sweet	Individual	Support	Written Testimony Only

Comments:

Dear Chair, Vice Chair, and Committee Members,

My name is Anita Sweet, and I **strongly support HB661_HD1**.

I've lived on Maui since 2006 and have spent all these years working in the beautiful Kā'anapali area. Please don't let hundreds of jobs disappear, especially after the devastation of the Lahaina fire. The Kā'anapali company I work for has operated safely for over 35 years—now is not the time to disrupt these jobs.

HB661 will keep ocean tour boats running during environmental review, preventing responsible businesses from being shut down for years despite following all regulations. These tours support conservation, education, and our local economy while letting people experience Hawai'i's ocean the right way.

Please **pass HB661_HD1** to protect local jobs and businesses.

Mahalo for your time,

Anita Sweet

anita@geminicharters.com

HB-661-HD-1

Submitted on: 2/26/2025 10:46:21 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Wayne Grenier	Individual	Support	Written Testimony Only

Comments:

I am Wayne Grenier and I strongly support HB661.

Lahaina and West Maui have already endured so many hardships. Please support us while we continue to recover.

HB661 allows previously permitted activities to continue operating while undergoing environmental review if permits are challenged.

This bill strikes a fair balance between protecting Hawaii's natural resources while supporting long-standing, regulated ocean activities operation.

Forcing lawfully permitted operators to shut down for years while spending hundreds of thousands of dollars to conduct environmental studies will inevitably lead to the closure of local business and the loss of job for even more.

History has shown that activities that have lost their permits and been shut down (e.g., the Super Ferry, Aquatic Fish Collectors, etc.) don't come back. Please do not let this be the case for the hundreds of businesses and thousands of residents that depend on these activities for their livelihoods.

Please pass HB661 and support our local families and businesses.

Mahalo for considering my testimony,

HB-661-HD-1

Submitted on: 2/26/2025 10:48:54 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
katy hyde	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

My name is Katy Hayde, and I am writing in strong support of HB661.

I am fully committed to preserving and protecting the natural beauty of Maui, and I believe this bill is a critical step in ensuring that we continue to manage our environment responsibly. HB661 acknowledges the importance of conducting thorough environmental reviews to protect our island's precious resources while recognizing the need for a fair and balanced approach that does not unfairly impact local businesses and their ability to operate.

Thank you for your consideration, and I appreciate the opportunity to share my testimony in support of HB661.

Mahalo,
Katy Hayde

HB-661-HD-1

Submitted on: 2/26/2025 10:53:59 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
William Reese Liggett	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Poepoe, and members of the Committee on Judiciary & Hawaiian Affairs,

My name is William Reese Liggett and I strongly oppose HB661 HD1, which would allow a vast range of illegally authorized activities to continue, potentially indefinitely, without a required consideration of their environmental, cultural, and social impacts to our islands and our present and future generations.

Our environmental review law allows decisionmakers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

Unfortunately, the failure of certain departments to comply with this law before authorizing certain actions - such as permitting the take of an unlimited number of of ecologically critical marine specimens for the aquarium trade, or the decades-long dewatering of streams in East Maui - has resulted in severe and in some cases irreparable ecological, cultural, social, and economic harms that could and should have been avoided through the prudent planning embodied in our environmental review law.

By allowing illegally authorized activities to continue while environmental review challenges are resolved - something that has taken literal decades in the dewatering of East Maui's streams - this bill would turn our environmental review process into an afterthought, legitimizing unlawful and irresponsible agency practices that have inflicted and that will continue to inflict tremendous generational harms and injustices upon our islands and communities.

I urge you to **HOLD HB661 HD1**.

Sincerely,
William Reese Liggett

HB-661-HD-1

Submitted on: 2/26/2025 11:01:52 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Eileen McKee	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing in strong opposition to HB661. Please, let's do what is right/Pono and protect our natural resources.

Eileen McKee, Kihei

HB-661-HD-1

Submitted on: 2/26/2025 11:02:38 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Isaac Harp	Individual	Oppose	Remotely Via Zoom

Comments:

Testimony on HB661 HD1

HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

Thursday, February 27, 2025
2 PM, Conference Room 325

Aloha Chair Tarnas, Vice-Chair Poepoe, and members of the JHA committee,

My name is Isaac "Paka" Harp. **I strongly oppose HB661 HD1.**

My sympathies go out to individuals and businesses affected by state agencies' failures.

If an activity such as long established tour boat operations have a track record that demonstrates such activity does not cause sufficient environmental impacts requiring an EA or EIS, that activity should be exempted from EA and EIS requirements by state agencies. Existing state law provides for such.

It appears that the state has failed to properly serve numerous long established tour boat operations and other activities resulting in the problem that you are now faced with solving. This would never have been a problem if state agencies were taking care of their kuleana.

Weakening HEPA is not a solution but a problem, a big problem as it could have broad negative effects in areas that are not tour boat or other activities related. Focus by state agencies towards reviewing proposed activities and determining if the activity requires an EA or EIS, or if the activity should be exempted is the solution.

Mahalo for your time and consideration towards strenghtening rather than weakening HEPA.

Sincerely, Isaac "Paka" Harp

HB-661-HD-1

Submitted on: 2/26/2025 11:07:17 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mahealani Martin	Individual	Oppose	Written Testimony Only

Comments:

6470759

Aloha,

My name is Mahealani Martin a sovereign Kanaka Maoli from the Hawaiian Kingdom. I can prove this by my genealogy that I descend from my Kupuna way before the arrival of the missionaries or the white men.

I am writing to you today in opposition to the desecration of Papahonuaumokuakea or any other islands that are not a part of the insurgency STATE OF HAWAII CORPORATION.

You are all in violation of committing war crimes against the Hawaiian Kingdom and its people without a Treaty of annexation which does not allow any of you or title of lands that were privatized by laws within the Hawaiian Kingdom Constitution. May I remind you that your crime and corruption here is also a form of genocide against the Kanaka Maoli.

To allow ELON MUSK to dump his SaceX satellites within the waters of which is secured by its boundaries of the Kingdom are grounds for harsh punishment. You cannot keep on thinking that you have the authority to take what does not belong to you. All of you to include ELON MUSK will be punished under Kingdom Law for this violation. And, without a Treaty of annexation your ignorance to the truth will still be held against you.

I recommend that you give ELON back his Tesla's and any other businesses to include his money that you are giving him the right to do what he wants here in the Kingdom, Moana,, or Papahonuaumokuakea.

Under International law of the Highest Courts all of you are being scrutinized for fraud and corruption are grounds for the death penalty.

We also have other foreign countries that recognize their Treaties with the Hawaiian Kingdom to include Russia.

It's only a matter of time until you all pay for your own greed and evilness here in the Hawaiian Kingdom. With that being said, I will say, A'ole!!!

Aloha Chair Rhoads, Vice Chair Gabbard, and members of the Senate Judiciary Committee,

My name is Andrea Waia'u and I STRONGLY OPPOSE HB661 HD1, which would allow illegally authorized activities to be continued, potentially indefinitely, without a consideration of their environmental, cultural, and social impacts to our islands and our present and future generations.

This measure puts the cart before the horse when it comes to environmental planning and protection. Our environmental review law works by allowing decision makers to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

This bill would do the opposite, allowing activities that have been previously, but unlawfully, authorized without environmental review, to continue while environmental review is pending. As we have seen in cases such as East Maui, where stream diversions by a politically connected plantation were allowed to continue for nearly 20 years after an environmental assessment had been ordered, years' or decades' worth of devastating yet potentially avoidable impacts could occur without the benefit of environmental review, should this measure be passed into law.

By allowing illegally authorized activities to continue while environmental review compliance is pending - something that has taken literal decades in the dewatering of East Maui's streams - this bill would turn our environmental review process into an afterthought, legitimizing unlawful and irresponsible agency practices that have inflicted and that will continue to inflict tremendous generational harms and injustices upon our islands and communities.

I urge you to HOLD HB661 HD1.

Sincerely,

Andrea Waia'u

HB-661-HD-1

Submitted on: 2/26/2025 11:09:27 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rocky Barnett	Individual	Support	Written Testimony Only

Comments:

February 26th,2025

Subject: Support HB 661

Aloha Governor Josh Green and Members of the Office of the Governor,

I have worked as a Captain in Hawai'i's Ocean Recreation Industry for 23 years, and then for an additional 23 years, I have worked as part of the Leadership Team with Westin Hotels at Kaanapali Beach, Maui.

I am writing to express my concern regarding judicial order number 2CC-17-1000483 that was signed December 4th by Judge Cahill, mandating that Kaanapali Ocean Recreation management area permits *not be renewed* until an environmental survey is completed. If not halted or amended immediately this decision will lead to extreme negative consequences for Maui's already struggling economy.

Ocean activities are one of the primary attractions for visitors coming to our Kaanapali Maui Resorts. The business disruption created by this judicial order will create massive job losses, resulting in additional financial burdens for the west side community and beyond.

Our community is already pushed to the limit with losses due to the Lahaina wildfires.

This order could set a precedent that would lead to similar requirements Statewide, potentially having a negative economic ripple effect throughout all of Hawai'i.

Environmental stewardship is essential, and many operators have already invested in sustainable practices. A more balanced approach to ensuring compliance certainly must be possible? A stay or amendment to order 2CC-17-1000483 while the environmental survey is being completed, would allow for collaboration with existing permit holders to operate while the survey is underway.

Thank you for your immediate attention to this important matter. As a proud Maui resident I feel very strongly that both our reputation as a world class resort destination, and the strength of our fragile local economy depend on a swift resolution to this issue.

Together we can find a solution that supports Maui's community and businesses while respecting our shared commitment to environmental stewardship.

Respectfully,

Rocky and Chanhom Barnett

166 Kahana Ridge Drive

Lahaina, HI

808 268-3508

HB-661-HD-1

Submitted on: 2/26/2025 11:16:21 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Venus	Individual	Support	Written Testimony Only

Comments:

Aloha & thank you for your time!

I **support HB661** to allow continued commercial operations in Ka‘anapali while environmental studies are conducted. These long-standing activities provide vital economic benefits to Hawai‘i and its residents. Let's take the opportunity to gather any clear evidence of harm, and negative impact from operators who do not follow strict regulations to protect the environment. A full pause on permits could have unnecessary consequences if studies ultimately find current management sustainable. Let's preserve jobs, support local businesses, and showcase Hawai‘i's beauty responsibly. Please allow permit renewals during this review process.

Venus Yi
Local Resident (born & raised)
Lahaina, Hawai‘i

HB-661-HD-1

Submitted on: 2/26/2025 11:17:31 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anne Allison	Individual	Oppose	Written Testimony Only

Comments:

Even though the DLNR supports the intent of this law, it creates a bigger risk to save our fish and reefs!!!! This is just a "work around" for the aquarium rape trade. They take the fish and we pay the price on many levels with the degradation of fish populations and varieties, then the further failure of the reefs!!!! Please be pono and hold off. do a correct study and revisit in future.

Anne Allison, resident of Maui

RE: STRONG SUPPORT OF SB 661 WITH NO PERMIT EXCLUSIONS

Date: Feb. 27, 2025

Time: 2:00 pm

Honorable Representatives,

There are (3) reasons I stand in support of HB 661 to apply evenly and fairly to ALL Ocean User Groups WITHOUT EXEMPTIONS:

- TO EXEMPT one user group is DISCRIMINATORY and UNCONSTITUTIONAL particularly when part of that user group (ie. part of the aquarium fishery- West HI Fishery) has already PASSED HEPA, holds a BLNR approved EIS, and the courts have ordered the state to give them their permits back.
- If you take away the permitted “activity” or livelihoods from the permittee, which has been permitted and managed without incident for 30 years in some cases, HOW ARE THEY SUPPOSED TO PAY FOR THE HEPA’S Environmental Impact Statement (EIS)?
- The Aquarium (AQ) Fishery of Hawaii is one of the most highly managed and sustainable fisheries in the world, as evidenced by over (20) years of data from Dept. of Aquatic Resources, and the fishery winning of (3) cases in Hawaii’s lower courts prior to being ordered to complete an Environmental Impact Statement (EIS).

Please do not change HB 661 to exempt and discriminate against one ocean user group, for to do so would be immoral and not pono.

Sincerely,

Mary Tubbs, M.Ed.

HB-661-HD-1

Submitted on: 2/26/2025 11:27:35 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Fereshteh Nikbakhsh Tali	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Poepoe and Members of the Committee,

I am writing to express my strong support for HB661 and to urge you to vote in favor of this bill or amend it to apply specifically to Ka’anapali. As a longtime resident of Maui County and a business owner, I am deeply concerned about the ongoing struggles of our community in the wake of the devastating fires, particularly in Lahaina and Ka’anapali.

Recovery has been painfully slow, and there is little indication that the process will accelerate in the near future. In particular, the hospitality industry, including hotels, resorts, tourism, and related businesses, has seen a significant decline in occupancy and productivity. With the fires still fresh in everyone’s minds, maintaining activities that attract visitors is essential to the recovery of our local economy.

Given the current situation, it is more important than ever that we do everything possible to support tourism and help keep local jobs. Limiting the activities available to visitors would be a setback for the businesses that are still struggling to survive and for the many residents who rely on them for their livelihoods.

I urge you to support HB661 or amend it to apply specifically to Ka’anapali, where the need for economic recovery is most urgent. This action would help ensure that our businesses, families, and local entrepreneurs—who are the backbone of our economy—have a chance to recover and thrive.

Thank you for your time and consideration. I hope you will stand with us during this critical time.

Respectfully,
Fereshteh Nikbakhsh Tali

HB-661-HD-1

Submitted on: 2/26/2025 11:31:38 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
emily gambino	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Poepoe, and members of the Committee on Judiciary & Hawaiian Affairs,

My name is Emily Gambino and I strongly oppose HB661 HD1, which would allow a vast range of illegally authorized activities to continue, potentially indefinitely, without a required consideration of their environmental, cultural, and social impacts to our islands and our present and future generations.

Our environmental review law allows decisionmakers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

Unfortunately, the failure of certain departments to comply with this law before authorizing certain actions - such as permitting the take of an unlimited number of of ecologically critical marine specimens for the aquarium trade, or the decades-long dewatering of streams in East Maui - has resulted in severe and in some cases irreparable ecological, cultural, social, and economic harms that could and should have been avoided through the prudent planning embodied in our environmental review law.

By allowing illegally authorized activities to continue while environmental review challenges are resolved - something that has taken literal decades in the dewatering of East Maui's streams - this bill would turn our environmental review process into an afterthought, legitimizing unlawful and irresponsible agency practices that have inflicted and that will continue to inflict tremendous generational harms and injustices upon our islands and communities.

I urge you to **HOLD HB661 HD1**.

Sincerely,

Emily Gambino

HB-661-HD-1

Submitted on: 2/26/2025 11:40:58 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Glenn Choy	Individual	Oppose	Written Testimony Only

Comments:

I strong oppose this bill. Thank you.

HB-661-HD-1

Submitted on: 2/26/2025 11:49:11 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kate Gilligan	Individual	Support	Written Testimony Only

Comments:

Aloha Committee Members,

I am writing to you in regards the new HB661, which I fully support. I work for a as a crew member for a charter boat company out of Ka'anapali, which I have worked for since 2018. Please support this bill for our community and our jobs. I truly thank you for your time, - Kate Gilligan

HB-661-HD-1

Submitted on: 2/26/2025 11:53:56 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Suzanne Mankoff	Individual	Oppose	Written Testimony Only

Comments:

My name is Suzanne Mankoff and I'm a resident of Kamuela on the island of Hawaii. I'm an avid swimmer, snorkeler and scuba diver. The ocean is the home of a vast ecosystem that is vital to our island. He Wa'a He Moku, He Moku He Wa'a. Why would you let commercial interests decimate the ocean environment while you wait to do an environmental study. That seems beyond short sighted! By the time the study is done, the damage will be complete.

Please, do your duty as legislators, committed to do right by our people and our home. Vote NO on HB661.

HB-661-HD-1

Submitted on: 2/26/2025 11:54:10 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bethany Ah Hee	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and members of the Senate Judiciary Committee,

My name is Bethany Ah Hee and I STRONGLY OPPOSE HB661 HD1, which would allow illegally authorized activities to be continued, potentially indefinitely, without a consideration of their environmental, cultural, and social impacts to our islands and our present and future generations.

This measure puts the cart before the horse when it comes to environmental planning and protection. Our environmental review law works by allowing decision makers to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

This bill would do the opposite, allowing activities that have been previously, but unlawfully, authorized without environmental review, to continue while environmental review is pending. As we have seen in cases such as East Maui, where stream diversions by a politically connected plantation were allowed to continue for nearly 20 years after an environmental assessment had been ordered, years' or decades' worth of devastating yet potentially avoidable impacts could occur without the benefit of environmental review, should this measure be passed into law.

By allowing illegally authorized activities to continue while environmental review compliance is pending - something that has taken literal decades in the dewatering of East Maui's streams - this bill would turn our environmental review process into an afterthought, legitimizing unlawful and irresponsible agency practices that have inflicted and that will continue to inflict tremendous generational harms and injustices upon our islands and communities.

I urge you to HOLD or HB661 HD1.

Sincerely,

Bethany Ah Hee

Aloha Chair Tarnas, Vice Chair Poepoe and Members of the Committee,

I, Michael T. Kelley, am writing in support of ***HB 661 HD1***

As I write this today, Maui—specifically Lahaina and Ka’anapali—remains in critical condition. Recovery from the devastating fires has been excruciatingly slow for residents, employees, and business owners. There is no indication that this process will accelerate anytime soon. The hospitality industry, including hotels, tourism, and related businesses, is struggling to regain occupancy and productivity. Given these challenges, any further restrictions on businesses or activities available to guests in Ka’anapali and West Maui would be unconscionable.

Due to a recent decision by Judge Cahill, all ocean recreation, boating, and watersports businesses in Ka’anapali will cease operations once their current permits expire and will remain closed until an environmental assessment is conducted. This is untenable. Such a closure would immediately bankrupt and force the permanent shutdown of dozens of well-established, professional local businesses. These companies are ***100% locally owned and operated***, many by families who have been in the industry for generations. Employees have built long-term careers, with 10, 15, or even 20 years of seniority. The potential closure of these businesses is unthinkable, leaving at least ***260 families without jobs, income, and stability***.

It feels as though those of us in the ***boating and ocean recreation industry have become collateral damage*** in broader conservation and environmental debates that do not directly involve us. Ka’anapali ORMA permit holders and ocean recreation operators provide non-consumptive services, meaning we do not take, harvest, or extract from the environment. Activities such as sunset sails, whale-watching tours, surfing lessons, and outrigger canoe rides are vastly different from the issues the State is facing elsewhere.

HB661 HD1 was introduced specifically to recognize and support Ka’anapali operators facing total shutdown. This bill would allow these businesses to continue operating while an environmental review is conducted, rather than requiring them to shut down completely. It ensures that longstanding, professional operators—who have adhered to all State regulations—are not unfairly punished. If narrowing the bill’s scope to apply specifically to Ka’anapali ORMA permit holders improves its chances of passage, that would be entirely acceptable.

If long-standing permit holders who have complied with all State guidelines and regulations are forced to cease all operations during environmental reviews, we will lose experienced, dependable operators and community leaders. Once these businesses close, history has shown that they do not come back. We must not lose valuable local jobs and reputable community businesses in this manner.

Beyond the immediate impact on Ka'anapali and West Maui visitors, employees, and business owners, *many other businesses will also suffer*. Consider the economic consequences:

- **\$60 million** in annual revenue generated by all Ka'anapali ORMA permit operators would be lost. *That goes away*
- **\$1.8 million in lost revenue to DLNR** (currently receiving 3% of operators' revenue). A proposal to raise this to 5% would be meaningless if there is no revenue at all. *That goes away*
- **\$750,000–\$1 million in lost revenue to DAR** from the new \$1-per-passenger fee, implemented in 2024. *That goes away*
- **\$2.83 million in lost state tax revenue** (4.712% sales tax on \$60 million). *That goes away*
- **\$9 million in lost commissions** paid to travel agents, concierge services, and activity desk operators. *That goes away*
- **Tens of thousands of lost restaurant and shop sales** due to the disappearance of ocean recreation participants. *That goes away*
- **Over 225,000 meals per year** that have been created and prepared by local restaurants and caterers for boating operations. *That goes away*
- **Significant job losses** among mechanics, fuel providers, maintenance personnel, transportation workers, Uber drivers, and others who support these businesses. *That goes away*
- **Over \$500,000 in purchases** for beverages and deliveries. *That goes away*
- **A severe reduction** in available activities for visitors, leading to thousands of tourists to choose other destinations—a ripple effect that could devastate the local economy. *They go away*
- **Thousands** of hotel rooms nights for individual F.I.T “*frequent independent travelers*” and multiple incentive groups choosing elsewhere. Room occupancies drop, need for employees drop, tax base drop, TAT drop. *That all takes a big hit*

The economic toll is massive, but the *human impact is even greater*. At least **260 ocean activity and boating-related jobs will disappear**, leaving families struggling to survive. Many will be forced to leave Maui, uprooting their children from schools and severing deep community ties. This would be an *unacceptable tragedy*.

I urge you to **vote in favor of HB 661 HD1** or amend it to apply specifically to Ka'anapali and **pass it for the sake of our community, families, businesses, and local entrepreneurs**—the backbone of our economy.

Thank you for your time and consideration.

Respectfully,
Michael T. Kelley

HB-661-HD-1

Submitted on: 2/26/2025 11:56:38 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David Moser	Individual	Support	Written Testimony Only

Comments:

I am submitting this testimony to express my support of HB 661. Specifically, I am in support of allowing the continuation of ORMA permit renewals for the operators of businesses affected by the Civil Court Order #2CC-17-1000483 (2), signed by Judge Cahill on December 4th concerning ORMA permit renewals for Ka'anapali and potentially other locations.

The impact of this Order is life threatening to these businesses, particularly those whose permits will expire in the near future. The Environmental Assessment could take months or years, and these businesses would be lost forever while waiting for the results of the EA. The consequences of this Order are multiple and far-reaching including loss of jobs, loss of businesses, bankruptcies affecting financial institutions, loss of tourism, and the impact will be felt not only by those businesses that operate under a Permit, but also by the shops on the shoreline that tourists support, individuals that provide services to these affected businesses, etc.

These businesses have been operating under Permits for many years with no discernable environmental degradation, so there is no "emergency" that needs to be addressed. Permits should be renewed while the EA is ongoing and then let the conclusions of the EA determine the balance between commercial and environmental interests.

COVID-19 period was a heavy blow to the economy of West Maui and the 2023 Lahaina fire has added to the struggle for survival of these businesses that rely on tourism for their livelihood. The passage of HB 661 is essential, as the Civil Court Order may be fatal to many of these businesses.

HB-661-HD-1

Submitted on: 2/26/2025 12:00:18 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lon Wallace	Individual	Oppose	Written Testimony Only

Comments:

Aloha~

I am writing today to unequivocally oppose the proposed SB1074, as its passage would once again open the door for the aquarium gathering business here in our islands. I am a long-time resident of West Hawaii island, and avid waterman. Through the decades I have personally seen and experienced the grossly imbalanced impact this industry has had on our reef fish, from witnessing the large haul outs at Kawaihae Harbor with their collateral damage, to more importantly the intense diminishing of the various populations out on our reefs. It was and is clearly an unsustainable practice that has negatively impacted the health of the waters and reef and clearly disturbed the ecological balance. Since the temporary ban went into effect around 2016, I and many others who use the waters for recreational, health and spiritual benefit have seen a slow but notable come back, even with the poachers still out there. It is far from back to a fully healthy, balanced state, but the improvement is obvious and a welcome change. We desperately need to keep Hawaii's fish in our waters for the continued health of the reef, and for all those locals and tourists who enjoy and derive benefit on many levels from their presence and corresponding healthy reef; not be taken for the relatively very few who want to capitalize on their removal for monetary gains with no regard for the negative impact they generate and short-sighted damage they leave behind.

Mahalo nui loa,

Lon Wallace, PhD.

Kamuela, Hawaii

HB-661-HD-1

Submitted on: 2/26/2025 12:01:22 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Wendy Harvey	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Poepoe, and Committee Members on Judiciary & Hawaiian Affairs,

My name is Wendy Harvey and I have lived in Kihei on the island of Maui for over 20 years. I'm a scuba diver and an ocean advocate.

I strongly oppose HB661.

I am deeply concerned how this bill would affect Hawaii's reefs.

- Commercial aquarium collectors have devastated reef ecosystems around Hawaii extracting **hundreds of thousands of fish and invertebrates each year**. Collected species include native and endemic species that are critical for maintaining healthy reefs.
- As a diver, I've seen entire coral systems collapse due to aquarium collectors. Our lives depend on healthy reefs. Without careful management, we will lose our beautiful reefs which will in turn affect nearly every aspect of living here including fishing and tourism.

I strongly urge you to **VOTE NO** on **HB661**.

Sincerely,
Wendy Harvey

HB-661-HD-1

Submitted on: 2/26/2025 12:01:24 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kayla Bush	Individual	Support	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Committee Members,

I am writing to you today to show my support for bill HB661 HD1. This is a very important bill as it pertains to my employment. I have worked for a charter boat company for the past few years. This bill is essential for ensuring that permitted ocean tourism operators in Kaanapali can continue operating *while undergoing* environmental review.

I strongly support bill HB661 HD1, to help keep our local jobs!

Thank you and Aloha from Maui, Kayla Bush

HB-661-HD-1

Submitted on: 2/26/2025 12:15:42 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jose Silva	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee

My name is Jose Silva, and I am writing in strong support of HB661.

The bill is essential in ensuring that our hard working families on West Maui can continue making a living while this ongoing environmental review takes place.

We have already suffered through many hardships since the fires and not allowing businesses to operate during this time will only put more hardship on our beautiful community.

I respectfully urge you to pass HB661 and help protect Hawaii's local businesses and working families.

Mahalo for your time and consideration.

HB-661-HD-1

Submitted on: 2/26/2025 12:17:39 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Olinda Kelley	Individual	Support	Written Testimony Only

Comments:

I hearby request that you support HB661 as it applies to Kaanapali ORMA operators.

As Maui residents we need your full support now as we all recover from our most recent disaster which has impacted our visitors, employees, residents and support business operators.

lack of support for this measure will result in \$60 million in annual revenue generated by Kaanapali ORMA Permit operators being eliminated.

\$750 thousand to \$1 million DAR(donations) contribution will disappear .

contributions of 3 % of \$60 million in revenue to DLNR will cease to exist

\$2.83 million in state tax revenue will no longer be received

\$9 million (estimated) revenue to commission based residents (concierge,activities desk, travel agents) will no longer exist

restaurants and shops visited by boating participants will see reduced revenue due to non existent pre and post activity

225,000 meals prepared by local kitchen and restaurants will disappear

fuel providers,mech, maintenance personnel, transportation, ice deliveries,and countless others will be affected

thousands of visitors will seek other states/ destinations due to lack of ocean activities

please support HB661 help maui continue to recover from the devastating fire and reestablish itself as a premier ocean destination

Mahalo

olinda Kelley

808.359.1123

HB-661-HD-1

Submitted on: 2/26/2025 12:18:37 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Capt Andrew Weight	Individual	Support	Written Testimony Only

Comments:

Aloha, my name is Capt Andrew Weight, and I have worked in Ka'anapali for 17 years.

I respectfully ask for your **SUPPORT of HB661_HD1**, a very important bill that allows Kaanapali's ocean boat operators to continue running while undergoing environmental review.

The Ka'anapali charter boats not only protect our waters but also contribute significantly to the local economy.

Please pass HB661 HD1 to protect our local ocean tourism industry, and the jobs it supports.

Mahalo for your support, Capt Andrew Weight

HB-661-HD-1

Submitted on: 2/26/2025 12:25:05 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Diane Ware	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Poepoe, and Committee Members on Judiciary & Hawaiian Affairs,

My name is Diane Ware and I live in [place] on the island of [island]. I'm an ocean advocate.

I **strongly oppose** HB661, SD1, which would allow agencies to keep rubberstamping environmentally harmful activities (like commercial aquarium collection) until whenever the agencies may get around to actually looking at the impacts and doing anything about it.

I am deeply concerned how this bill would affect Hawai'i's reefs and lawai'a pono practices.

- Commercial aquarium collectors have devastated reef ecosystems around O'ahu and Hawai'i Island, extracting **hundreds of thousands of fish and invertebrates each year** in hotspots including West Hawai'i and Kāne'ohe Bay. Collected species include lau'ipala (yellow tang), kole (goldring surgeonfish), pāku'iku'i (Achilles tang), among many other native and endemic species that are critical for maintaining healthy reefs and supporting Native Hawaiian subsistence fishing and cultural practices.
- This reef life is sold and shipped in plastic bags to the continent and around the world to supply the **global pet market for ornamental reef fish**, instead of staying on the reefs to support ecosystem health and Native Hawaiian fishing practices that have been handed down for generations.
- Thanks to HEPA and recent court rulings, our reefs have **finally gotten a break from unlimited aquarium extraction** while the collectors and State look at environmental and cultural impacts, mitigation measures, and alternatives through the public environmental review process.
- Please let HEPA do its job to **inform agency decision-making beforehand**, rather than handing industry a free pass to continue causing harm for years on end until they get around to completing the environmental review process. This bill would turn HEPA review into an afterthought and meaningless formality to justify harm that's already been done . . . and can't be undone.
- This bill would **gut HEPA's whole purpose** and is unnecessary. HEPA provides for **exemptions of activities that have truly minor impacts**.

I strongly urge you to **VOTE NO** on **HB661**.

Sincerely,

Diane Ware

Moku o Ka'u

HB-661-HD-1

Submitted on: 2/26/2025 12:31:28 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Julie Stowell	Individual	Oppose	Written Testimony Only

Comments:

Protecting Hawai'i's Marine Ecosystems from Marine Exploitation

Aloha Chair, Vice Chair, and Committee Members,

I strongly oppose HB661 HD1, which undermines environmental protections by allowing unauthorized commercial activities—particularly aquarium collection—to continue without proper assessment. I'm actually surprised that this is still being proposed, the community has come out time and time again to oppose the taking of fish from our reefs. There are so many reasons why this is a bad idea.

Environmental Impact: Reef fish maintain healthy coral ecosystems. Their removal disrupts ecological balance at a time when climate change already threatens our reefs.

Cultural Concerns: This bill disrespects Native Hawaiian values of aloha 'āina and mālama i ke kai. It contradicts the DLNR's mission of prioritizing culture over profit and violates both Hawai'i's State Constitution and Kapa'akai Analysis.

Economic Reality: While claiming to preserve jobs, the bill ignores tourism's dependence on healthy reefs. The benefits to a few collectors are outweighed by long-term costs to our environment and economy.

Legal Issues: Courts have ruled that environmental review is required for commercial aquarium collection. HB661 HD1 attempts to circumvent these decisions and the will of Hawai'i's people.

I urge the rejection of HB661 HD1 in favor of policies that protect our marine resources, respect Native Hawaiian values, and create truly sustainable economic opportunities.

With deep concern for our 'āina, kai, and the perpetuation of our ecosystem,

Julie Stowell

Laupahoehoe, Hawaii

HB-661-HD-1

Submitted on: 2/26/2025 12:35:06 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Captain Drew	Individual	Support	Written Testimony Only

Comments:

Aloha, As a local Ka'anapali Captain who cares deeply about the ocean and its preservation, I support this bill. Environmental assessments are important, but shutting down long-standing, compliant businesses is completely unfair. The west Maui boating community was wiped out by the fire. Further penalizing and shutting down businesses that can operate out of Ka'anapali is unfair and detrimental to our local and visiting community who enjoy ocean excursions. Please SUPPORT 661 HD1, to we may keep our jobs!

Thank you for your consideration.

HB-661-HD-1

Submitted on: 2/26/2025 12:52:17 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lanny Sinkin	Individual	Oppose	Written Testimony Only

Comments:

Our political system is facing a dangrous challenge from authoritarian forces bent on destroying our democracy The authoritarians are removing any obstacles to their planned takeover, particularly regulations, rules, and laws that prohibit their unfettered trashing of our environment. They are firing enforcement personnel in order to avoid accountability for their actions,

No legislator should associate with such an attack. To the contrary, tte Legislature should proactively move to block this destructive movement by joining forces with the County and State governments around the country rising up to protect their citizens.

Please vote "No" on HB 661.

HB-661-HD-1

Submitted on: 2/26/2025 12:59:08 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Momi Vee	Individual	Oppose	Written Testimony Only

Comments:

My name is Ms. Momi Vee, I stand in **strong oppose HB661**, which would allow a vast range of illegally authorized activities to continue, potentially indefinitely, without a required consideration of their environmental, cultural, and social impacts to our islands and our present and future generations. Not only do they ignore the laws, they may also create potential for hazardous conditions that could harm both tourists and residents. This is Pandora's Box, when we have authorized groups and non authorized, this can cause illgal activity to occur and if not kept in check may result in liability suits to the state and county. Ultimately its up to the individual who care enough for the future of Maui and keeping the public safety in the highest regard. Thank you for Opposing HB661.

Aloha Chair, Vice Chair, and Committee Members,

I strongly oppose HB661 HD1, which undermines environmental protections by allowing unauthorized commercial activities—particularly aquarium collection—to continue without proper assessment.

Environmental Impact: Reef fish maintain healthy coral ecosystems. Their removal disrupts ecological balance at a time when climate change already threatens our reefs.

Cultural Concerns: This bill disrespects Native Hawaiian values of aloha 'āina and mālama i ke kai. It contradicts the DLNR's mission of prioritizing culture over profit and violates both Hawai'i's State Constitution and Kapa'akai Analysis.

Economic Reality: While claiming to preserve jobs, the bill ignores tourism's dependence on healthy reefs. The benefits to a few collectors are outweighed by long-term costs to our environment and economy.

Legal Issues: Courts have ruled that environmental review is required for commercial aquarium collection. HB661 HD1 attempts to circumvent these decisions and the will of Hawai'i's people.

I urge the rejection of HB661 HD1 in favor of policies that protect our marine resources, respect Native Hawaiian values, and create truly sustainable economic opportunities.

With deep concern for our 'āina, kai, and the perpetuation of our ecosystem,

Mahalo,

Herb and Jennifer Ching

Holualoa, Hawaii

HB-661-HD-1

Submitted on: 2/26/2025 1:03:24 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Glenn Metzler	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Poepoe, and Committee Members on Judiciary & Hawaiian Affairs,

My name is Glenn Metzler and I am a retired biologist living on the Big Island. I oppose HB661 which would allow many illegally authorized activities to continue, potentially indefinitely, without a required consideration of their environmental impacts to our islands.

Our environmental review law is a critical disclosure law and allows decisionmakers and the public to make more fully informed decisions that can prevent potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes.

Neglect of this law in the past has caused problems such as permitting the take of an unlimited number of of ecologically critical marine specimens for the aquarium trade.

HB-661-HD-1

Submitted on: 2/26/2025 1:06:51 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Russell Lewis	Individual	Support	Written Testimony Only

Comments:

Please Support HB661 HD1.

Aloha,

My name is Russell Lewis, I've seen how tough the past few years have been for our island. Families and local businesses are still trying to recover, and we need all the help we can get. HB661 HD1 will help protect jobs and keep businesses running.

My wife and I lost our apartment in the Lahaina fire, please do not also make me lose my job that I have had for the past 9 years.

Please **pass HB661 HD1** to support our local economy and the people who depend on it!

Mahalo for your time!

Thank you, Russell Lewis

HB-661-HD-1

Submitted on: 2/26/2025 1:17:30 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan Bambara	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Committee Members,

I strongly oppose HB661 HD1, which undermines environmental protections by allowing unauthorized commercial activities—particularly aquarium collection—to continue without proper assessment.

Environmental Impact: Reef fish maintain healthy coral ecosystems. Their removal disrupts ecological balance at a time when climate change already threatens our reefs.

Cultural Concerns: This bill disrespects Native Hawaiian values of aloha 'āina and mālama i ke kai. It contradicts the DLNR's mission of prioritizing culture over profit and violates both Hawai'i's State Constitution and Kapa'akai Analysis.

Economic Reality: While claiming to preserve jobs, the bill ignores tourism's dependence on healthy reefs. The benefits to a few collectors are outweighed by long-term costs to our environment and economy.

Legal Issues: Courts have ruled that environmental review is required for commercial aquarium collection. HB661 HD1 attempts to circumvent these decisions and the will of Hawai'i's people.

I urge the rejection of HB661 HD1 in favor of policies that protect our marine resources, respect Native Hawaiian values, and create truly sustainable economic opportunities.

With deep concern for our 'āina, kai, and the perpetuation of our ecosystem, I thank you for hearing my plea for voting for Hawai'i nei over profiteering.

Susan Bambara, Kurtistown, Big Island

HB-661-HD-1

Submitted on: 2/26/2025 1:17:37 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Malia Mares	Individual	Oppose	Written Testimony Only

Comments:

I strongly opposed HB661. Please let our reef fish survive! This bill would essentially dismantle all the protections of HEPA and cause grave harm to our remaining populations of reef fish, which are already struggling.

Mahalo,

Malia

HB-661-HD-1

Submitted on: 2/26/2025 1:18:27 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lehua Alapai	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Committee Members,

I strongly oppose HB661 HD1 and you should too. Don't be confused. Don't be conflicted. Please know, in your heart the right thing to do.

Don't choose lobbyists over your aina. Don't choose faraway profit over your aina. It's okay if you made those choices before, you can change your mind now.

Together, we can undo the many decades of unchecked aquarium fish collection. I don't have to tell you because you already know the harm it has caused and studies now are based on an already degraded habitat. Do not let this continue on your watch. Suggest to lobbyists and aquarium fish collectors to fear not. There is paid work caring for these ecosystems. They don't have to take from them anymore.

Hawaii is depending on you.

Please reject HB661 HD1.

Mahalo for all you do,

Lehua Alapai, lineal descendant, Kekaha Wai 'Ole o Na Kona, Hawaii Island

HB-661-HD-1

Submitted on: 2/26/2025 1:19:09 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Annika Doerr	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

My name is Annika Doerr and I am writing this in very strong support of HB61.

It is of dire importance to the livelihood of the West Side community that bill HB61 be passed.

The community needs stability right now and this bill allows for both environmental and commercial support of the Kaanapali area during assessment time.

Kind Regards

Annika Doerr

HB-661-HD-1

Submitted on: 2/26/2025 1:24:39 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Christopher Doerr	Individual	Support	Written Testimony Only

Comments:

Testimony in Strong Support of SB1074 – Relating to Environmental Review

Aloha Chair and Members of the Committee,

My name is Christopher Doerr, and I am writing in strong support of SB1074.

This bill is essential in ensuring that previously permitted activities can continue operating while undergoing environmental review if their permits are challenged. By allowing businesses to remain open during this process, SB1074 helps maintain regulatory stability and prevents unnecessary disruptions for compliant operators.

SB1074 upholds environmental protections while also preventing redundant reviews that can impose excessive financial and operational burdens on longstanding, law-abiding businesses. It strikes a fair balance between preserving Hawaii’s natural resources and supporting regulated commercial activities that have been an integral part of our local economy for years.

I respectfully urge the committee to pass SB1074 and help protect Hawaii’s local businesses and working families.

Mahalo for your time and consideration.

HB-661-HD-1

Submitted on: 2/26/2025 1:26:53 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Toni Colombo	Individual	Support	Written Testimony Only

Comments:

Dear Chair, Vice Chair, and Members of the Committee,

Please support HB661 for ocean tour boats. This bill is essential for ensuring that ocean tourism operators in Kaanapali can continue their operations while undergoing environmental review. Without this bill, these longstanding, regulated operators face the risk of being shut down for years—even when they have complied with all permitting requirements.

These tour operators allow residents and visitors to experience Hawaii’s marine environment with minimal disruption, supporting conservation efforts through education and sustainable tourism practices.

This bill strikes a fair balance between protecting our natural resources through 343 and supporting the small ocean tour businesses that have operated responsibly under state oversight for decades.

Please pass HB661 to protect our local ocean tourism industry, the jobs it supports, and the families who depend on it.

HB-661-HD-1

Submitted on: 2/26/2025 1:27:56 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
G. R. Karpowitz	Individual	Support	Written Testimony Only

Comments:

Aloha Chair, Vice-Chair and Committee,

IN SUPPORT of HB661_HD1.

This bill is essential for ensuring that permitted ocean tourism operators in Kaanapali can continue operating while undergoing environmental review. I work in West Maui on a charter boat, Gemini Charters, and we need this bill to pass. I do not understand why after 35 years of safely operating, now some people are pushing for an EIS after all this time. I feel there is a balance between showing our Hawaii visitors good stewardship and at the same time, protecting our environment with a study.

Thank you for allowing me to testify, Rich Karpowitz

Subject: Support for HB661 and continuing Ocean Activity Permits at Kā'anapali Beach

To Whom it may concern,

As a 15-year homeowner in the area, I am writing to express my strong support for the continuation of permits for ocean activities at Kā'anapali Beach. These activities are an integral part of Maui's cultural heritage, local economy, and visitor experience. I urge you to advocate for a balanced approach that allows commercial ocean operators to continue their work while ensuring the protection and sustainability of our coastal environment.

Kā'anapali Beach has long been a hub for responsible ocean recreation, including snorkeling, diving, sailing, and guided cultural experiences. Many local businesses and families depend on these activities for their livelihoods, and a pause in commercial permits threatens their economic stability. The loss of these ocean-based experiences would not only hurt small business owners and their employees but also impact visitors who seek safe, educational, and regulated access to our marine resources.

I recognize the importance of protecting our environment and supporting community interests, and I believe that a solution can be found that upholds both economic sustainability and environmental stewardship. Implementing responsible permitting processes, environmental impact assessments(while operations continue), and community engagement initiatives can ensure that these activities continue in a way that aligns with conservation efforts.

I respectfully urge you to support policies that restore and maintain ocean activity permits while incorporating best practices for sustainability. Thank you for your time and consideration. I would appreciate any updates on efforts to address this issue and look forward to your leadership in finding a balanced resolution.

Sincerely,

Carol Mulkay
235 Haloko Place Lahaina, HI, 96761
Mulkayhouse@gmail.com

Aloha Governor Green,

I hope this message finds you well. I am writing to express my deep concern regarding Civil Court Order #2CC-17-1000483 (2), signed by Judge Cahill on December 4th concerning ORMA permit renewals for “at this point” Ka’anapali.

As Maui continues to recover from the devastating Lahaina fires, this decision could not come at a more challenging time for West Maui’s recovery and for those who hold Hawai’i as an annual treasured destination. Ocean recreation activities have long been integral to both visitors and the state’s economy. This ruling not only jeopardizes these established operations but also sets a worrisome precedent for similar activities across the islands, which contribute significantly to Hawai’i’s unique appeal and economy.

While environmental conservation is undeniably critical, an abrupt halt to these permits sends a concerning message to visitors and businesses alike. For our visitors, it signals that essential recreational opportunities they associate with Hawai’i may no longer be accessible, diminishing the allure of Hawaii. For business owners and investors, it underscores an environment of unpredictability, where significant investments are at risk due to unforeseen regulatory and legal decisions.

As a longtime resident and environmental landscape business owner, I value Hawai’i and it’s pristine environment deeply, and I’m asking for your leadership in navigating this issue and finding balanced resolution that allows businesses to operate while the State seeks its EA, if indeed necessary. With your help the livelihoods of hundreds of Maui families who depend on Ka’anapali ocean-based activities for their employment and of course small businesses they’ve developed can be saved while we also maintain Hawai’i’s reputation as a premier travel destination.

Thank you for your continued efforts in addressing these complex challenges. Your leadership in finding a path forward will undoubtedly protect the future of Maui’s communities, economy, and natural beauty.

Mahalo for your time and dedication.

Sidney Sparkman

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HB-661-HD-1

Submitted on: 2/26/2025 1:38:47 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kerri Smith	Individual	Support	Written Testimony Only

Comments:

Aloha Committee Members,

As a Ka'anapali homeowner, crew member, and whale naturalist on a West Maui charter boat and a research vessel, I am deeply committed to the preservation of the ocean. Therefore, I fully support this bill. While environmental assessments are indeed necessary, it is unjust to shut down longstanding, compliant businesses. The boating community in West Maui has already been severely affected by the fire. Further penalizing and closing businesses that can operate out of Ka'anapali is both unfair and detrimental to our local and visiting community who enjoy ocean excursions. Please support HB661 HD1.

Thank you for your time and consideration, Kerri Smith

HB-661-HD-1

Submitted on: 2/26/2025 1:44:53 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sands Dyer	Individual	Support	Remotely Via Zoom

Comments:

Dear Chair, Vice Chair, and members of the Committee,

I submit my testimony in strong support of HB661_HD1 and appreciate your consideration. As a long standing owner of a business that employs 20 local residents of Lahaina, many of whom lost everything in the Lahaina wildfire, the passage of this bill would ensure that we all would keep our jobs. Without being able to renew our permits, my business would surely go bankrupt along with many other companies and the jobs of over 250+ Lahaina residences.

Thank you for considering my testimony and the ongoing revival of Lahaina's businesses and residences. Aloha.

HB-661-HD-1

Submitted on: 2/26/2025 1:47:33 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Meredith Lins	Individual	Support	Written Testimony Only

Comments:

Hello to the Chair, Vice-Chair, and Committee Members,

I would like to show my support for HB661_HD1. I live and work in West Maui, and if this bill does not pass, hundreds of jobs would be lost. I work on a boat as well as a photographer. So, both of my employers would have to stop operating, and I would be out of work.

This bill allows permitted ocean tourism operators in Kaanapali to continue operating during any environmental review. Please support HB661_HD1.

Thank you for your help, Meredith Lins, a Lahaina resident.

HB-661-HD-1

Submitted on: 2/26/2025 1:51:16 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Peggy Glaw	Individual	Comments	Written Testimony Only

Comments:

Much testimony has been submitted on the various 343 bills and lots of discussions on the aquarium fishery.

Ironically, no one has stated that the aquarium fishery has completed the 343 process, and litigated it to the Supreme Court. The West Hawai'i EIS was upheld by the Hawai'i Supreme Court in August 2024

Shortly after, Division of Aquatic Resources released an in-depth review of the fishery, the EIS and the science and found it to have a low impact.

All of the environmental organizations that have been rallying the people to submit testimony(which you can clearly see because it's all form letters) are failing to acknowledge that facts surrounding the situation.

This situation was caused by the tourism operations in Maui. Now they want grace.

1. No carve outs, provide equal application of the law
2. No word games, make it very clear what is allowed or not.

All of these activities are commercial, all engage in submerged lands, all require a permit, and all are under attack.

Untangle the situation, do not add additional confusion, keep it simple and apply to ALL

HB-661-HD-1

Submitted on: 2/26/2025 1:59:12 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
david hill	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB661

HB-661-HD-1

Submitted on: 2/26/2025 2:05:02 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kim Coke	Individual	Support	Remotely Via Zoom

Comments:

The 343 process has been weaponized and used as a tool to shut down long standing industry. Tangled up in the courts with endless challenges and appeals causes even greater frustration from people seeking to comply.

This is not necessarily about environmental review, this is a way to stop longstanding businesses and trap them into the "HEPA process".

Court interpretation has caused further complications.

This bill is a good middle ground. I would suggest you make it very simple to interpretation. The Senate passed a version with amendments, yet to be seen, but based on oral dialogue would lead to more confusion on implementation and application.

keep it simple, apply it to all equally, and make it easy to understand.

HB-661-HD-1

Submitted on: 2/26/2025 2:18:27 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Erin Pinto	Individual	Oppose	Written Testimony Only

Comments:

I urge the House Committee to strongly oppose HB661. We must not allow harmful practices to continue during environmental review. This is a giant loophole that bad actors are looking forward to taking advantage of. We must take this action to protect our aina for residents and visitors and not let those who seek to exploit weaknesses in our regulations take advantage for personal gain.

REPRESENTATIVE DAVID A. TARNAS, CHAIR
REPRESENTATIVE MAHINA POEPOE, VICE CHAIR
HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

My name is U'ilani Naipo and I live on Moku o Keawe. I'm a lineal descendant and hoa'aina (caretaker) of Miloli'i Fishing Village and I am an ocean advocate.

I **strongly oppose** HB661.

HB661 will allow agencies to continue issuing permits that allow environmentally harmful activities (like commercial aquarium collection) with no accountability until likely there is no recourse for recovery.

I am seriously troubled by how this bill would affect Hawai'i's reefs and lawai'a pono practices.

- Commercial aquarium collectors have devastated reef ecosystems around O'ahu and Hawai'i Island, extracting **hundreds of thousands of fish and invertebrates** each year in hotspots including West Hawai'i and Kane'ohe Bay. Collected species include lau'ipala (yellow tang), kole (goldring surgeonfish), paku'iku'i (Achilles tang), among many other native and endemic species that are critical for maintaining healthy reefs and supporting Native Hawaiian subsistence fishing and cultural practices.

Today, paku'iku'i is on a no take list for West Hawai'i in attempts to recover its abundance. The State claims no correlation to aquarium collection, yet offers no other conclusive reasoning for its significant depletion, whereas no where else in the state is experiencing the same condition.

- Marine reef life is sold and shipped in plastic bags to the continent and around the world to supply the **global pet market for ornamental reef fish**, instead of staying on the reefs to support ecosystem health and Native Hawaiian fishing practices that have been handed down for generations.

Aquarium collection exploits and privatizes the take of marine public trust assets. Its negative and lasting impact to our marine ecosystems, and competition of food fish with subsistence and commercial fishers is not pono.

- Thanks to HEPA and recent court rulings, our reefs have **finally** gotten a break from unlimited aquarium extraction while the collectors and State look at environmental and cultural impacts, mitigation measures, and alternatives through the public environmental review process.

- Please let HEPA do its job to **inform agency decision-making beforehand**, rather than handing industry a free pass to continue causing harm for years on end until they get around to completing the environmental review process. This bill would turn HEPA review into an afterthought and meaningless formality to justify harm that's already been done . . . and can't be undone.
- This bill would **dismantle** HEPA's function and allow its work to be circumvented. **HEPA provides for exemptions** of activities that have truly minor impacts.

According to the Standing Committee Report, the intent of this measure is *intended to evaluate the environmental impact of new projects rather than disrupt ongoing, well-regulated activities.*

It should be noted that recent court rulings have also been made for long-time running activities that DLNR has issued permits for. These include activities of which DLNR has not performed capacity planning exercises to set limits on issuing commercial activity permits, and only upon court rulings have they considered performing environmental impact assessments.

Meanwhile, the State remains liable for these permitted activities and continuously have been plagued with lawsuits.

I strongly recommend that all commercial extractive activity of marine life which does not directly feed Hawai'i's people, be ceased. These extractive activities do not enhance Hawai'i's food security, they unfairly take and privatize shared public trust assets, and diminish the health of our coral reefs.

As we work to **combat** climate change, **restore** our nearshore areas and coral reefs, **restore** loko i'a, and **rehabilitate** our fishing grounds, extractive commercial activities work against us.

At such a tumultuous and unpredictable time of having many conservation programs cut, Hawai'i can not risk taking such a liberal and risky approach in continuing to hand out extractive commercial activity permits.

I strongly urge you to **VOTE NO** on HB661 for Hawai'i Nei.

He kauwā wale nō,

U'ilani Naipo

HB-661-HD-1

Submitted on: 2/26/2025 4:00:35 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Zett Elyss Amora	Individual	Oppose	Written Testimony Only

Comments:

My name is Zettelyss Amora and I live in Waimea on the Big Island of Hawai'i. I'm an ocean advocate. For 20 years I have been swimming nearly every day along the Kohala Coast and I continue to see nothing but declining populations of the natural habitat including fish, eels, octopus and the like.

I strongly oppose HB661, SD1, which would allow agencies to keep rubber stamping environmentally harmful activities (like commercial aquarium collection) until whenever the agencies may get around to actually looking at the impacts and doing anything about it.

I am deeply concerned how this bill would affect Hawai'i's reefs and lawai'a pono practices.

Commercial aquarium collectors have devastated reef ecosystems around O'ahu and Hawai'i Island, extracting hundreds of thousands of fish and invertebrates each year in hotspots including West Hawai'i and Kāne'ohe Bay. Collected species include lau'ipala (yellow tang), kole (goldring surgeonfish), pāku'iku'i (Achilles tang), among many other native and endemic species that are critical for maintaining healthy reefs and supporting Native Hawaiian subsistence fishing and cultural practices.

This reef life is sold and shipped in plastic bags to the continent and around the world to supply the global pet market for ornamental reef fish, instead of staying on the reefs to support ecosystem health and Native Hawaiian fishing practices that have been handed down for generations.

Thanks to HEPA and recent court rulings, our reefs have finally gotten a break from unlimited aquarium extraction while the collectors and State look at environmental and cultural impacts, mitigation measures, and alternatives through the public environmental review process.

Please let HEPA do its job to inform agency decision-making beforehand, rather than handing industry a free pass to continue causing harm for years on end until they get around to completing the environmental review process. This bill would turn HEPA review into an afterthought and meaningless formality to justify harm that's already been done . . . and can't be undone.

This bill would gut HEPA's whole purpose and is unnecessary. HEPA provides for exemptions of activities that have truly minor impacts.

I strongly urge you to VOTE NO on HB661.

Mahalo for your time and attention to this serious matter!

Malama Pono,

Zettelyss Amora

HB-661-HD-1

Submitted on: 2/26/2025 5:28:03 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kelden Yagin	Individual	Support	Written Testimony Only

Comments:

I support Hb661..

HB-661-HD-1

Submitted on: 2/26/2025 7:06:45 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jim Medeiros Sr.	Individual	Oppose	Written Testimony Only

Comments:

Aloha e Chair Tarnas, Vice Chair Poepoe, and Committee Members,

I live in Honaunau on the island of Hawai'i, Moku o Keawe. I am a PKO, Protect Keopuka Ohana, and rely on healthy reefs for cultural, and religious practices, fishing and eating.

I **strongly oppose HD661 HD1** which would allow agencies to keep rubberstamping environmentally harmful activities (like commercial aquarium collection) until whenever the agencies may get around to actually looking at the impacts and doing anything about it.

I am deeply concerned how this bill would affect Hawai'i's reefs and lawai'a pono practices.

- Commercial aquarium collectors have devastated reef ecosystems around O'ahu and Hawai'i Island, extracting ***hundreds of thousands of fish and invertebrates each year*** in hotspots including West Hawai'i and Kāne'ohē Bay. Collected species include lau'ipala (yellow tang), kole (goldring surgeonfish), pāku'iku'i (Achilles tang), among many other native and endemic species that are critical for maintaining healthy reefs and supporting Native Hawaiian subsistence fishing and cultural practices.

- This reef life is sold and shipped in plastic bags to the continent and around the world to supply the ***global pet market for ornamental reef fish***, instead of staying on the reefs to support ecosystem health and Native Hawaiian fishing practices that have been handed down for generations.

- Thanks to HEPA and recent court rulings, our reefs have ***finally gotten a break from unlimited aquarium extraction*** while the collectors and State look at environmental and cultural impacts, mitigation measures, and alternatives through the public environmental review process.

- Please let HEPA do its job to ***inform agency decision-making beforehand***, rather than handing industry a free pass to continue causing harm for years on end until they get around to completing the environmental review process. This bill would turn HEPA review into an afterthought and meaningless formality to justify harm that's already been done . . . and can't be undone.

- This bill would ***gut HEPA's whole purpose*** and is unnecessary. HEPA provides for ***exemptions of activities that have truly minor impacts***.

I strongly urge you to **VOTE NO on HB661 HD1.**

HB-661-HD-1

Submitted on: 2/26/2025 7:58:30 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
jacob b Colvin	Individual	Comments	Written Testimony Only

Comments:

I am writing today to ask for your help. I heard that starting in 2025 all of the boating permits and other services available from Ka'anapali will be shut down as their permits, according to something signed by Judge Cahill, will no longer be renewed or at least until an environmental assessment is completed. This will halt tourism based activities. An environmental assessment could take a year(s) to complete. My fear is those operators will be out of business and may have to even leave Maui. causing even more stress on our already challenging holiday season and beyond. As a member of the service industry we are already struggling and additional "hits" will likely impact our personal income situation. For this personal as well as the noted tourism and community reasons please help to create another way to achieve what is needed while keeping these businesses open.

HB-661-HD-1

Submitted on: 2/26/2025 11:22:26 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kimmer Horsen	Individual	Oppose	Written Testimony Only

Comments:

I, Kimmer Horsen, STRONGLY OPPOSE HB 661 HD1 & SB 1074

My friends have been involved in advocating for the protection of these waters for more than 20 years now.

They helped to draft the initial plans that established the Papahānaumokuākea Marine sanctuary.

They hosted First Lady Bush at Washington Place in 2006 and were invited to the White House for the designation by President Bush for the announcement of the Marine Sanctuary on June 15, 2006.

Native Hawaiian fishermen Isaac Harp and Uncle Buzzy Agard have witnessed first-hand what overfishing in these waters have done to our resources...depletion of lobsters and the starving of our monk seals.

They are deeply concerned about commercial and industrial levels of “non-commercial” extractive activities, including fisheries, in state waters.

It Severely undermines core protections for Native Hawaiian rights and cultural practices and Hawai’i’s foundational environmental law, potentially leading to substantial, irreversible environmental and cultural harm.

They know that commercial fisheries and longliners have come out in large numbers to open up these waters..

Many are Not from here.

Many are Not Native Hawaiian and don't share the same Kuleana for the protection of our natural and cultural resources that as they and I do.

Mahalo

Kimmer Hosen

HB-661-HD-1

Submitted on: 2/26/2025 11:43:18 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Eileen Amaranthus	Individual	Support	Written Testimony Only

Comments:

Dear chairperson

Please accept my support of HB661. As an environmentalist and property owner on Kaanapali beach I've enjoyed our oceans and wildlife. In addition to the devastating island shut down due to covid, Lahaina has also experienced tragic loss of property and lives due to the fire. Current tourism on kaanapali is helping support a broken community. Overt the last 15 years, I've actually experienced more wildlife and enjoyed clearer beaches. I can appreciate environmental concerns and feel the loss of jobs and community impact will be devistating for local O'hana at this time. I support the Bill as it applies to Ka'anapali ORMA operators as they need our full support now as they all recover from the disaster

HB-661-HD-1

Submitted on: 2/27/2025 3:28:46 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kaimi	Individual	Oppose	Remotely Via Zoom

Comments:

Dear Chair Tarnas, Vice Chair Poepoe, and Committee Members on Judiciary & Hawaiian Affairs,

My name is Kaimi Kaupiko and I live in Milolii on the island of Hawaii, I’m an ocean advocate.

I **strongly oppose** HB661, which would allow agencies to keep rubberstamping environmentally harmful activities (like commercial aquarium collection) until whenever the agencies may get around to actually looking at the impacts and doing anything about it.

I am deeply concerned how this bill would affect Hawai‘i’s reefs and lawai‘a pono practices.

- Commercial aquarium collectors have devastated reef ecosystems around O‘ahu and Hawai‘i Island, extracting **hundreds of thousands of fish and invertebrates each year** in hotspots including West Hawai‘i and Kāne‘ohe Bay. Collected species include lau‘ipala (yellow tang), kole (goldring surgeonfish), pāku‘iku‘i (Achilles tang), among many other native and endemic species that are critical for maintaining healthy reefs and supporting Native Hawaiian subsistence fishing and cultural practices.
- This reef life is sold and shipped in plastic bags to the continent and around the world to supply the **global pet market for ornamental reef fish**, instead of staying on the reefs to support ecosystem health and Native Hawaiian fishing practices that have been handed down for generations.
- Thanks to HEPA and recent court rulings, our reefs have **finally gotten a break from unlimited aquarium extraction** while the collectors and State look at environmental and cultural impacts, mitigation measures, and alternatives through the public environmental review process.
- Please let HEPA do its job to **inform agency decision-making beforehand**, rather than handing industry a free pass to continue causing harm for years on end until they get around to completing the environmental review process. This bill would turn HEPA review into an afterthought and meaningless formality to justify harm that’s already been done . . . and can’t be undone.
- This bill would **gut HEPA’s whole purpose** and is unnecessary. HEPA provides for **exemptions of activities that have truly minor impacts**.

I strongly urge you to **VOTE NO** on **HB661**.

Sincerely
Ka'imi kaupiko

Aloha Committee,

My name is Kaylan Bray, resident of Hawaii and student at University of Hawaii at Manoa and I
STRONGLY OPPOSES HB661 HD1

There are now important legal contributions in **ILO Convention 169 [the Indigenous and Tribal Peoples' Convention of 1989]**, and the right to self-determination. If this bill does get passed, **it will be a clear human rights violation** against Kanaka 'Ōiwi. Under the UN resolution, all States are required to guarantee the rights of the peoples. **Under Article 7:** The peoples concerned shall have the right to decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being and the lands they occupy or otherwise use, and to exercise control, to the extent possible, over their own economic, social and cultural development. In addition, they shall participate in the formulation, implementation and evaluation of plans and programmes for national and regional development which may affect them directly.

These bills use narratives to support the market and create social and environmental value for companies, allowing for monetization in financial markets, putting everything and everyone else above Kanaka 'Ōiwi. If passed, it will be a violation which will be documented and filed with the ILO Convention 169.

This bill threatens Kanaka 'Ōiwi continued ability to protect THEIR public trust land, water, and ocean resources from environmentally destructive activities. Severely undermines core protections for Native Hawaiian rights and cultural practices and Hawai'i's foundational environmental law, potentially leading to substantial, irreversible environmental and cultural harm.

Following the mass displacement of Kanaka Maoli living in Lahaina in the wake of wildfires, voices across the tourism industry promoted tourism as an effective means of aid for the affected Hawaiians. The idea of continuing the growth of tourism seems counterintuitive, but has commonly been treated as the main solution by. While travel agencies marketed vacations in the months following the wildfires as a "lifeline for the people of Maui", the Hawai'i Tourism Authority approved \$2.6 million in funding for marketing intended to increase the demand for travel to the island (Rosen 2023). the narratives put forth about the inseparable nature of tourism and survival for Hawaiians extends far earlier, even across times without such immense crises (Ateljevic 2020). This solution fails to incorporate Kanaka Maoli insight, and continues the history of erasure and oppression of Kanaka Maoli. Also, it only considers Kanaka Maoli successful if they meet the standards of their colonizers, preventing a future where cultural and economic autonomy can be balanced.

Much of the destruction the tourism industry brings is clearly visible to Hawaiian residents and anyone with internet access. With hundreds of thousands of acres solely for the benefit of tourists, the precious biodiversity and ecosystem services that support tourism are constantly destroyed. There is a strong correlation between popular coastal destinations in Hawaii and extensive coral degradation in those

areas. Researcher Greg Asner said, "They want to go to where there's coral. And then where there's a lot of tourism, there's a lot of degraded coral", and this trend can be found in any environmental aspect of Hawaii (Stoll 2023). The degradation of the Hawaiian ecosystem has been intertwined with the destruction of Kanaka Maoli lives. As seen from the initial colonizers, to the plantation owners, to the United States Military, and finally this can be seen every day with the tourism industry.

I strongly urge you to **HOLD HB661 HD1**.

Mahalo,
Kaylan Bray

HB-661-HD-1

Submitted on: 2/27/2025 4:22:29 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Simone Kamaunu	Individual	Oppose	Written Testimony Only

Comments:

<p>I do not support this bill. I am opposed to this. Please do not pass thins bil.</p>

HB-661-HD-1

Submitted on: 2/27/2025 5:34:24 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kimberly Gilfillan	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Poepoe, and Committee Members on Judiciary & Hawaiian Affairs,

My name is Kimberly Gilfillan and I formerly lived in Waialua on the island of O'ahu. I'm an ocean advocate. I was a former scuba diver instructor and saw the impact the aquarium trade made on our reefs. It is horrible.

I **strongly oppose** HB661, SD1, which would allow agencies to keep rubber stamping environmentally harmful activities (like commercial aquarium collection) until whenever the agencies may get around to actually looking at the impacts and doing anything about it.

I am deeply concerned how this bill would affect Hawai'i's reefs and lawai'a pono practices.

- Commercial aquarium collectors have devastated reef ecosystems around O'ahu and Hawai'i Island, extracting **hundreds of thousands of fish and invertebrates each year** in hotspots including West Hawai'i and Kāne'ōhe Bay. Collected species include lau'ipala (yellow tang), kole (goldring surgeonfish), pāku'iku'i (Achilles tang), among many other native and endemic species that are critical for maintaining healthy reefs and supporting Native Hawaiian subsistence fishing and cultural practices.
- This reef life is sold and shipped in plastic bags to the continent and around the world to supply the **global pet market for ornamental reef fish**, instead of staying on the reefs to support ecosystem health and Native Hawaiian fishing practices that have been handed down for generations.
- Thanks to HEPA and recent court rulings, our reefs have **finally gotten a break from unlimited aquarium extraction** while the collectors and State look at environmental and cultural impacts, mitigation measures, and alternatives through the public environmental review process.
- Please let HEPA do its job to **inform agency decision-making beforehand**, rather than handing industry a free pass to continue causing harm for years on end until they get around to completing the environmental review process. This bill would turn HEPA review into an afterthought and meaningless formality to justify harm that's already been done . . . and can't be undone.

- This bill would **gut HEPA's whole purpose** and is unnecessary. HEPA provides for **exemptions of activities that have truly minor impacts.**

I strongly urge you to **VOTE NO** on **HB661**.

Sincerely,
Kimberly Gilfillan

HB-661-HD-1

Submitted on: 2/27/2025 6:45:16 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Beth D King	Individual	Support	Written Testimony Only

Comments:

Please support HB661

Ocean tour boats must continue in Ka'anapali esp since the Lahaina fires. We depend on tourist for our economy! These tour operators allow residents and visitors to experience Hawaii's marine environment with minimal disruption, supporting conservation efforts through education and sustainable tourism practices.

Please pass HB661 to protect our local ocean tourism industry, the jobs it supports, and the families who depend on it.

HB-661-HD-1

Submitted on: 2/27/2025 9:41:39 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cynthia Texeira	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB661 HD1

HB-661-HD-1

Submitted on: 2/27/2025 10:29:35 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brittany Kuoha	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and members of the Senate Judiciary Committee,

My name is Brittany Kuoha and I STRONGLY OPPOSE HB661 HD1, which would allow illegally authorized activities to be continued, potentially indefinitely, without a consideration of their environmental, cultural, and social impacts to our islands and our present and future generations.

This measure puts the cart before the horse when it comes to environmental planning and protection. Our environmental review law works by allowing decision makers to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

This bill would do the opposite, allowing activities that have been previously, but unlawfully, authorized without environmental review, to continue while environmental review is pending. As we have seen in cases such as East Maui, where stream diversions by a politically connected plantation were allowed to continue for nearly 20 years after an environmental assessment had been ordered, years' or decades' worth of devastating yet potentially avoidable impacts could occur without the benefit of environmental review, should this measure be passed into law.

By allowing illegally authorized activities to continue while environmental review compliance is pending - something that has taken literal decades in the dewatering of East Maui's streams - this bill would turn our environmental review process into an afterthought, legitimizing unlawful and irresponsible agency practices that have inflicted and that will continue to inflict tremendous generational harms and injustices upon our islands and communities.

I urge you to HOLD HB661 HD1.

Sincerely,

Brittany Kuoha

HB-661-HD-1

Submitted on: 2/27/2025 10:48:56 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Regina Gregory	Individual	Oppose	Written Testimony Only

Comments:

oppose

HB-661-HD-1

Submitted on: 2/27/2025 11:12:18 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kawailehua	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and members of the Senate Judiciary Committee,

I STRONGLY OPPOSE HB661 HD1, which would allow illegally authorized activities to be continued, potentially indefinitely, without a consideration of their environmental, cultural, and social impacts to our islands and our present and future generations.

This measure puts the cart before the horse when it comes to environmental planning and protection. Our environmental review law works by allowing decision makers to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

This bill would do the opposite, allowing activities that have been previously, but unlawfully, authorized without environmental review, to continue while environmental review is pending. As we have seen in cases such as East Maui, where stream diversions by a politically connected plantation were allowed to continue for nearly 20 years after an environmental assessment had been ordered, years' or decades' worth of devastating yet potentially avoidable impacts could occur without the benefit of environmental review, should this measure be passed into law.

By allowing illegally authorized activities to continue while environmental review compliance is pending - something that has taken literal decades in the dewatering of East Maui's streams - this bill would turn our environmental review process into an afterthought, legitimizing unlawful and irresponsible agency practices that have inflicted and that will continue to inflict tremendous generational harms and injustices upon our islands and communities.

I urge you to HOLD HB661 HD1.

Sincerely,

Kawailehua

HB-661-HD-1

Submitted on: 2/27/2025 11:54:02 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Amy Schwab	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Poepoe, and members of the Committee on Judiciary & Hawaiian Affairs,

My name is Amy Schwab from Kaimuki and I strongly oppose HB661 HD1, which would allow a vast range of illegally authorized activities to continue, potentially indefinitely, without a required consideration of their environmental, cultural, and social impacts to our islands and our present and future generations.

Our environmental review law allows decision makers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

Unfortunately, the failure of certain departments to comply with this law before authorizing certain actions - such as permitting the take of an unlimited number of of ecologically critical marine specimens for the aquarium trade, or the decades-long dewatering of streams in East Maui - has resulted in severe and in some cases irreparable ecological, cultural, social, and economic harms that could and should have been avoided through the prudent planning embodied in our environmental review law.

By allowing illegally authorized activities to continue while environmental review challenges are resolved - something that has taken literal decades in the dewatering of East Maui's streams - this bill would turn our environmental review process into an afterthought, legitimizing unlawful and irresponsible agency practices that have inflicted and that will continue to inflict tremendous generational harms and injustices upon our islands and communities.

I urge you to **HOLD HB661 HD1**.

Sincerely,

Amy Schwab