

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Testimony of
LAURA H. THIELEN
Chairperson

Before the House Committee on
TOURISM, CULTURE, & INTERNATIONAL AFFAIRS

Saturday, February 7, 2009
9:00 AM
State Capitol, Conference Room 312

In consideration of
HOUSE BILL 649
RELATING TO NATURAL RESOURCES

House Bill 649 transfers funds from the Tourism Special Fund for conservation and restoration projects in East Maui. The Department of Land and Natural Resources (Department) defers to the Hawaii Tourism Authority on the impacts this measure will have on their program, and the Department of Budget and Finance on the impact this measure will have on the State Financial Plan, given the current fiscal difficulties the State is experiencing.

Presently, an amount of \$1,000,000 from the Transient Accommodation Tax is allotted to the Department. Of this amount, 90% is allotted to the State Parks Special Fund and 10% is allotted to the special fund for Statewide Trail and Access Program (Na Ala Hele). These funds have been received by the Department since 2005 and have allowed the Department to make significant improvements to the parks and trails for the benefit of both residents and visitors. Maintaining this level of funding is critical for ongoing maintenance, management, and repair.

LATE TESTIMONY

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

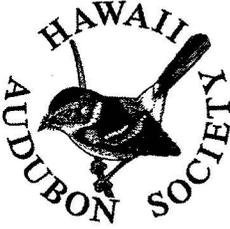
RUSSELL Y. TSUJI
FIRST DEPUTY

KEN C. KAWAHARA
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
KAIHOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

written only

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For the Protection of Hawaii's Native Wildlife

HAWAII AUDUBON SOCIETY

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LEGISLATIVE TESTIMONY

**House Committee on Tourism, Culture & International Affairs
Rep. Joey Manahan, Chair & Rep. James Kunane Tokioka, Vice Chair**

Saturday, February 7, 2009; 9:00 A.M., Conference Rm. 312

Re: Testimony in Support of HB 649, Relating to Natural Resources

Chair Manahan, Vice Chair Tokioka, and members of the Committee on Tourism, Culture & International Affairs, my name is George Massengale and I am a long time member of the Hawaii Audubon Society. During session, I serve as their Legislative Analyst. Thank you for the opportunity to submit our testimony in support of HB 649, which if enacted, will transfer funds from the tourism special fund for conservation and restoration projects in east Maui.

The Hawaii Audubon Society was founded in 1939, and has over 1,500 members statewide. The Society's primary mission is the protection of Hawaii's native birds, wildlife and habitats.

The island of Maui, and in particular east Maui, is indeed a paradise of sorts—it is the **kingdom of endangered and extinct species. Seventy-five percent of all documented floral and faunal extinctions in the United States have occurred in Hawaii. One hundred and seventy endemic plant species are listed as endangered—35 percent of the U. S. Endangered Species List of plants for the entire country. Forty percent of the birds on the Endangered Species List are endemic to Hawaii, and half of the historical total of 140 bird species is already extinct.** This demise of the Hawaiian flora and fauna began 1,600 years ago with the arrival of the Polynesians. Humans have since introduced, both knowingly and unknowingly, an army of invasive plants and animals that have heavily impacted the natural ecosystems. In east Maui, the results have been destructive and permanent. Its streams are clogged with invasive plants and its natural watershed is home to the worlds most endangered birds including the Po'ouli. The Po'ouli is quite possibly the

rarest bird in the world. It was only discovered in 1973 by University of Hawaii students in the wet montane forest of the East Maui Watershed.

The Society is aware of 26 stream flows on the road to Hana that are in need of mitigation and/or restoration. When stream flow is interrupted, stream habitat is destroyed. In addition, in areas where there is stream blockage, by invasive plants, the still waters become breathing sites for mosquitoes that in turn carry avian malaria that infects endangered bird species such as Maui Alauahio, commonly known as the Maui Creeper.

In reviewing this bill, the Society believes that it strikes a balance between two priorities; restoring streams flows that are essential for the flora and fauna of east Maui which enhances bird habitats, while at the same time enhancing east Maui's tourism appeal. Eradicating invasive plant species and restoring stream flow is critical in ensuring that Maui's various endangered and threaten endemic species will continue to grow and thrive.

We would urge the committee to pass HB649, which if implemented properly, can only benefit Maui's economy and ecology. Thank you for opportunity to testify here today.

Sincerely,



George Massengale, JD
Legislative Analyst

Amy Luke

From: Saved by Windows Internet Explorer 7
Sent: Saturday, February 07, 2009 7:07 AM
Subject: Po`ouli Fact Sheet

DEPARTMENT OF LAND & NATURAL RESOURCES
State of Hawai'i



United States Department of the Interior
Fish and Wildlife Service



Hawai'i's Endangered Species

Draft Environmental Assessment - Possible Management Actions to Save the Po`ouli

Available - Adobe PDF, 440K.

Po`ouli

(Melamprosops phaeosoma)

Description

The Po`ouli (*Melamprosops phaeosoma*) is one of five endangered Hawaiian honeycreepers that inhabit the rainforests of east Maui. The Po`ouli is a stocky bird, about 5 1/2 inches long, whose Hawaiian name means "black face," referring to its dark facial feathers. The cheeks and breast feathers are white, turning a light red-brown toward the posterior. The top of the head is greyish, turning to dark brown on the back. The Po`ouli was discovered in 1973 by three University of Hawaii students while they conducted field work in the Hana rainforest. Molecular studies indicate that the Po`ouli belongs to an ancient lineage of honeycreepers. It is so unique in its form and behavior that it has been placed in its own genus, *Melamprosops*.



© Paul Baker

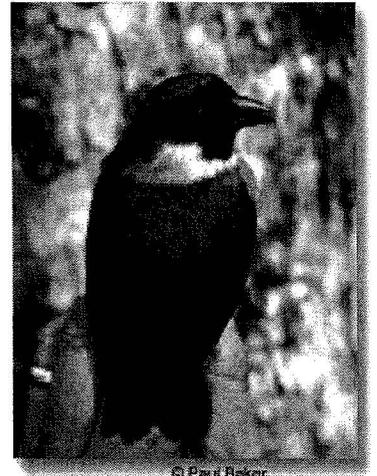
Habitat

Although fossil remains have been found on the dry south slope of Haleakala, indicating that the Po`ouli was previously more widespread, it is currently restricted to the upper elevations of east Maui's rainforests, from 4,650- 6,680 feet. All of the known birds occur within the Hanawi Natural Area Reserve and adjacent portions of Haleakala National Park and the Ko`olau Forest Reserve. These areas receive an average of 350

inches of rain annually. The terrain is steep and thickly vegetated. While some alien weeds are present, the area is dominated by native Hawaiian plants such as the `ohi`a tree and `olapa.

Life History

The Po`ouli is a secretive bird that spends a great deal of its time in the native understory and brush of the rainforest, making it difficult to detect and observe. It gleans leaves and bark in search of the insects, spiders, and small snails upon which it feeds. The few nests that have been observed contained 1-2 chicks during the months of April-June. These nests were built of twigs and mosses and were located in leafy branches of `ohi`a trees. Po`ouli commonly forage with small groups of other Hawaiian forest birds such as the endangered Maui Parrotbill and more common species such as the Maui Creeper or `alauahio.



Threats

When first discovered in 1973, the total population of Po`ouli was felt to be fewer than 200 birds. Populations of so few individuals are extremely vulnerable to any threat, especially when they are restricted to such a limited area. Unfortunately, the threats to these and other Hawaiian forest birds are not few. Almost all native forest birds are restricted to elevations above 4,900 feet. Possibly one of the most telling explanations for this restricted distribution is that introduced mosquitos, which transmit avian malaria, are common below this elevation. Avian diseases such as malaria and pox virus were probably one of the most critical reasons for the devastating declines of perching birds in Hawai`i during the 1980s.

Destruction of habitat by pigs, goats, and other introduced ungulates has had devastating impacts on all native habitats in Hawai`i. Feral pigs have had direct impacts on native forest birds by destroying understory vegetation, spreading alien weeds, and creating mosquito breeding areas from their rooting and wallowing in wet forests. For birds such as the Po`ouli, which specialize in foraging in the understory, disturbance by pigs has been a major threat. Introduced predators such as the black and Polynesian rat, the small Indian mongoose, and the feral house cat are all known to be predators of Hawai`i's native birds. The great abundance of black rats in most Hawaiian forests, as well as their tree-dwelling habit, indicate they may be a primary threat to the Po`ouli.

Introduced forest birds have over the years encroached into the habitats utilized by the Po`ouli and other native forest birds. These alien species often harbor and spread introduced diseases, and compete for food and nest sites with the native Hawaiian species. The very small population size of the Po`ouli compounds all of these threats and makes them more vulnerable to naturally occurring disasters. In addition, small populations typically show the negative effects of inbreeding, such as smaller clutch size and lowered resistance to disease. It has been shown that individuals of a given species that are derived from very small populations do not survive as well as individuals that exist in large populations.

Current Status

The Po`ouli is now believed to number only three individuals. These birds exist in three distinct home ranges and do not appear to interact with one another. Scientists believe these birds are made up of one male and two females, and that there may be a chance to save this species if appropriate action is taken now. The Hawai`i Department of Land and Natural Resources and U.S. Fish and Wildlife Service are currently seeking public input on what the appropriate action should be.



Did You Know . . .

- The east Maui rainforest contains more species of endangered forest birds than anywhere else in the State?
- The Po`ouli is the only Hawaiian forest bird known to consume tree snails?
- The Po`ouli seldom calls or sings and typically is seen before it is heard?

See also,

- [Map of Po`ouli Home Range](#)
- [Other East Maui Forest Birds](#)
- [Draft Environmental Assessment - Possible Management Actions to Save the Po`ouli](#)

State of Hawaii
Division of Forestry and Wildlife



LATE TESTIMONY

Na Moku Aupuni O Ko'olau Hui

Wailuku, Maui, Hawai'i 96793

February 6, 2009

Honorable Joey Manahan, Chair
and Members of the Committee on Tourism, Culture & International Affairs
House of Representatives
State Capitol, Conference Room 312
412 South Beretania Street
Honolulu, Hawai'i 96813

Dear Chair Manahan and Members:

**SUBJECT: HEARING OF FEBRUARY 6, 2009; TESTIMONY IN SUPPORT OF
HB 649, RELATING TO NATURAL RESOURCES**

Thank you for the opportunity to testify in support of this important measure. The purpose of this measure is to transfer funds from the tourism special fund for conservation and restoration projects in east Maui.

On September 25, 2008, the Commission on Water Resource Management (CWRM) voted to partially restore flows to eight streams in East Maui, with petitions pending for another 19 streams. The State should stand behind the Commission and their decision, by funding the staff work needed to restore stream flows now being diverted by East Maui Irrigation Company. It is imperative that the CWRM be funded for the lack of funding will severely affect their ability to restore water flow to the streams on which taro farmers rely for their crops.

The right to water to support taro farming in areas traditionally devoted to kalo cultivation, subsistence gathering from streams and coastlines, and shoreline fishing is guaranteed by the Hawai'i Constitution and the public trust doctrine. I strongly feel that this money should be used to protect the water and cultural rights of taro farmers and subsistence practitioners.

COMMITTEE ON TOURISM, CULTURE & INTERNATIONAL AFFAIRS

February 6, 2009

Page 2

My ohana been farming taro in Wailua, Ke'anae as far back as 1899. My great grandfather farmed for 80 years, my grandfather farmed for 80 years and my brother been farming for 20 years. It's a family business and each family member has their responsibility. There is one variety of taro that our farm is the last farm known to have it.

You have an important duty to the kalo farmers. It is time to support our Hawaiian culture and our people and not put tourism promotion before the protection of the water and cultural rights of taro farmers and subsistence practitioners.

I would greatly appreciate your support of this important measure.

Aloha,

Amanda M. Martin

AMANDA M. MARTIN

President

Na Moku Aupuni O Ko'olau Hui

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Amy Luke

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 06, 2009 9:25 PM
To: TCItestimony
Cc: [REDACTED]
Subject: Testimony for HB649 on 2/7/2009 9:00:00 AM
Attachments: 2006-12-17_0437.jpg

Testimony for TCI 2/7/2009 9:00:00 AM HB649

LATE TESTIMONY

Conference room: 312
Testifier position: support
Testifier will be present: No
Submitted by: Lyn Scott
Organization: Individual
Address: [REDACTED] Haiku, HI 96708
Phone: [REDACTED]
E-mail: [REDACTED]
Submitted on: 2/6/2009

Comments:

The state of Hawaii should support kalo farmers of East Maui. We have been waiting years to have waters returned to our streams. Streams that our children play in, streams that tourist travel miles to see, streams that keep our culture present in this ever changed island. The state should remain committed to the decision made by the Water Commission to return stream water to East Maui. Our livelihood and our future is dependent on having sufficient water for our kalo lo'i. Please support this bill to keep East Maui looking like East Maui should with flowing streams and beautiful waterfalls.

Mahalo, Lyn Scott Honopou Taro Farmer

Amy Luke

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 06, 2009 9:31 PM
To: TCItestimony
Cc: anake_bridge@hawaiiantel.net
Subject: Testimony for HB649 on 2/7/2009 9:00:00 AM

LATE TESTIMONY

Testimony for TCI 2/7/2009 9:00:00 AM HB649

Conference room: 312
Testifier position: support
Testifier will be present: No
Submitted by: Bridget A. Mowat
Organization: Individual
Address: [REDACTED] Kaunakakai, Hi
Phone: [REDACTED]
E-mail: a [REDACTED]
Submitted on: 2/6/2009

Comments:

I support HB 649 not only for the tourist and Hawai'i dependency on outter state pocketbooks, but OUR dependency for our state resources. We need to grow foods according to our climate and sustanibility. Grow taro first before watering the tourist golf course!
Like out kupuna say! We cannot eat golf balls!
Come on people. Get real! Providing water to Keanae, Hana, provides the beautiful pictures for the tourist, provide the tourist with the taste of the "paste" and all that! It's a plus all around. The state gets their tourist, the people get the nourishing poi! Support the people who live and will continue to live in Hawaii!

Late Testimony for TCI 2/7/2009 9:00:00 AM HB649

Conference room: 312

Testifier position: support

Testifier will be present: Yes

Submitted by: Arvid Tadao Youngquist

Organization: The Mestizo Association

Address:

Phone:

E-mail: thirr33@gmail.com

Submitted on: 2/7/2009

Comments: suggest helpful testimony suggestions from this morning to be incorporated in the language of the Committee Report.

LATE TESTIMONY

Chair Joey Manahan

Vice Chair James Kunane Tokioka

The Right Honorable Members of the House

Committee on Tourism,

Culture & International Affairs

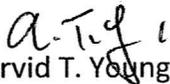
Please accept this late testimony in support of HB 601 Relating to the Works of Art Special Fund, & HB 649 Relating to Natural Resources (east Maui).

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Both measures will "take from Peter to give to Paul..." but in this time of budget shortfalls, all resources must be examined in order to fund the "needed" projects as opposed to "wanted" projects.

Recommend that bills be reported out with a sunset date of June 1, 2011, with committee report suggesting a most conservative dollar figure of reallocation to FIN and/or WLO Committees. Your diligence, attention to detail, and respectful discussion with all testifiers are appreciated and commendable.

Sincerely,


Arvid T. Youngquist

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