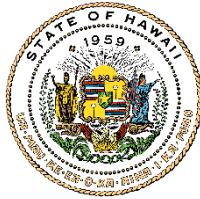
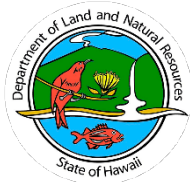


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



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

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ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**Testimony of
DAWN N. S. CHANG
Chairperson**

**Before the Senate Committee on
WATER AND LAND**

**Monday, February 12, 2024
1:00 PM**

State Capitol, Conference Room 229 & Videoconference

**In consideration of
SENATE BILL 2050
RELATING TO MARINE LIFE CONSERVATION DISTRICTS**

Senate Bill 2050 proposes to: 1) require the Department of Land and Natural Resources (Department) to establish and conduct the Marine Life Conservation District (MLCD) Carrying Capacity Program; 2) require the Department to submit reports to the Legislature and adopt administrative rules; and 3) make an appropriation. **The Department supports this bill, provided that its passage does not replace or adversely impact priorities indicated in the Executive FY 2025 Supplemental Budget Request.**

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

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

There are currently ten designated MLCDs statewide:

- Hanauma Bay MLCD, O‘ahu
- Pūpūkea MLCD, O‘ahu
- Waikīkī MLCD, O‘ahu
- Kealakekua Bay MLCD, Hawai‘i
- Lapakahi MLCD, Hawai‘i
- Old Kona Airport MLCD, Hawai‘i
- Waialea Bay MLCD, Hawai‘i
- Honolua – Mokolē‘ia MCLD, Maui
- Molokini Shoal MLCD, Maui
- Mānele – Hulopo‘e MLCD, Lāna‘i

A carrying capacity study has recently been conducted for Hanauma Bay, and a study is currently being developed for Pūpūkea. For the remaining eight MLCDs, the Department estimates that a well-designed carrying capacity study program would cost around \$300,000 per MLCD to conduct. The Department would not be able to effectively conduct carrying capacity studies at all seven MLCDs simultaneously due to limited staff and contractor capacity. Establishing such a program requires a long-term commitment of resources. The best course of action is to build a team, form a plan, set priorities, and conduct one carrying capacity study per year on a continuous cycle. These studies have a maximum shelf life of 10 years as conditions change, so updates need to be done regularly.

The Department agrees that carrying capacity studies should be conducted in consultation with affected stakeholders and subject matter experts, including the counties, University of Hawai‘i researchers, and community groups. The Department also intends to engage with commercial operators such as SCUBA and snorkel charters and surf schools to ensure that all affected stakeholders are included in the process.

Mahalo for the opportunity to provide testimony in support of this measure.

SB-2050

Submitted on: 2/10/2024 11:16:12 AM

Testimony for WTL on 2/12/2024 1:00:00 PM

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

Comments:

STRONG SUPPORT!

Carrying capacity studies are needed to protect marine life conservation districts.

Please passs this bill!

Hawaii Reef and Ocean Coalition (by Ted Bohlen)



To: Senator Lorraine Inouye, Chair, and Brandon Elefante, Vice Chair, and members of
Water & Land

Feb 12, 2024, Room 229 1:00 pm

Testimony in Support of SB 2050
RELATING TO CAPACITY IN MLCD'S

Aloha Chair Senator Inouye, Vice Chair Elefante, and Members,

My name is Mendy Dant, and my family owns and operates the oldest originally owned snorkel company in the state. We have been going to Kealakekua Bay since 1971, Where we have seen a devastating change to our coral reefs. The ocean's health is getting worse and worse, mainly from the worldwide warming climate, which kills the coral. The MLCDs need to be better protected from the damage we can control ourselves.

There are many stresses in our oceans today, and we can easily control some of these man-made problems, such as overcrowding, the natural PH being changed by chemical sunscreens and human waste. When kayaks and vessels don't have bathroom facilities onboard, customers are forced to go in the MLCD; when there are hundreds of people at a time, it changes the PH and harms the coral's health.

We have seen positive results in decreasing people during the COVID closure of our ocean, bays, and coral reefs. Establishing some carrying capacity restrictions after a study is conducted in each MLCD should be done as soon as possible to prevent further damage that takes decades to repair, if ever.

Please support SB 2050.

Sincerely,

Mendy Dant
President



SB2050
RELATING TO MARINE LIFE CONSERVATION DISTRICTS.
Senate Committee on Water & Land

February 12, 2024

1:00 PM

Room 229

The Office of Hawaiian Affairs (OHA) **SUPPORT** SB2050, which requires the Department of Land and Natural Resources to establish and conduct the Marine Life Conservation District Carrying Capacity Program.

OHA supports legislation that maximizes protection that can lead to sustainable and resilient cultural and natural resources, including that of our oceans. We are encouraged by this proposal and its potential to provide ways to ensure the marine life conservation districts can exist and even thrive in perpetuity.

If this bill becomes law, we look forward to working with DLNR to ensure they can work with place-based indigenous traditional knowledge keepers¹ in assessing and monitoring the effectiveness of the carrying capacity program. We believe that the existing bill language supports the inclusion of both Native Hawaiians and those in our community who are experts in fisheries management. We appreciate the way the current draft recognizes the importance of methods and techniques like kapu to ensure thriving marine areas.

For the above reasons, OHA **supports SB2050** and respectfully asks the committee to advance this measure. Mahalo nui for the opportunity to testify on this important issue.

¹ Executive Office of the President. 2021, Memorandum White House Office of Science and Technology Policy (OSTP) and the White House Council on Environmental Quality (CEQ) to recognize Indigenous Traditional Ecological Knowledge (ITEK)—a form of Indigenous Knowledge as one of the many important bodies of knowledge that contributes to the scientific, technical, social, and economic advancements of the United States and to our collective understanding of the natural world.

SB-2050

Submitted on: 2/10/2024 5:05:40 PM

Testimony for WTL on 2/12/2024 1:00:00 PM

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

Comments:

I support this measure.

- U'ilani Naipo