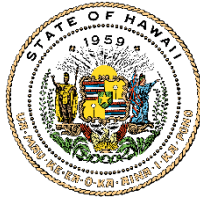


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



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

P. O. BOX 621
HONOLULU, HAWAII 96809

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

**Before the Senate Committees on
AGRICULTURE AND ENVIRONMENT
and
WATER AND LAND**

**Monday, January 29, 2024
1:00 PM**

State Capitol, Conference Room 229 & Videoconference

**In consideration of
SENATE BILL 2149
RELATING TO PERMITS**

Senate Bill 2149 proposes to require the Department of Land and Natural Resources (Department) to approve or deny an application related to aquaculture within 90 days from the date that it was submitted. The bill also establishes two full-time equivalent (2.0 FTE) positions within the Division of Aquatic Resources (DAR) to support the permit review process, declares that the general fund expenditure ceiling is exceeded, and makes 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, and offers the following comments.**

The Department recognizes that some applicants for aquaculture-related permits are frustrated by perceived delays in issuing these permits. Permits often take months to process due to a lack of full-time permitting staff, coupled with the complicated nature of some aquaculture permit requests. The Department would welcome the establishment of two full-time positions within DAR to support the permit review process. This increased capacity will make it possible for the Department to process most, if not all, aquaculture permit applications within 90 days.

When responsibly and sustainably managed, aquaculture can be an integral part of local food production and security. Aquaculture also has the potential to reduce fishing pressure on stressed fish stocks which can lead to the recovery of native fish and invertebrate species that have been over-exploited in the past.

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

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
RYAN K.P. KANAKA'OLE
FIRST DEPUTY
DEAN D. UYENO
ACTING 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

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



SHARON HURD
Chairperson, Board of Agriculture

DEXTER KISHIDA
Deputy to the Chairperson

State of Hawai'i
DEPARTMENT OF AGRICULTURE
KA 'OIHANA MAHI'AI
1428 South King Street
Honolulu, Hawai'i 96814-2512
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**TESTIMONY OF SHARON HURD
CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE SENATE COMMITTEES ON AGRICULTURE AND ENVIRONMENT
AND WATER AND LAND**

**JANUARY 29, 2024
1:00 PM
CONFERENCE ROOM 229**

**SENATE BILL NO. 2149
RELATING TO PERMITS**

Chairs Gabbard and Inouye, Vice Chairs Richards and Elefante, and Members of the Committees:

Thank you for the opportunity to testify on Senate Bill 2149. The bill requires the Department of Land and Natural Resources to approve or deny an application related to aquaculture within 90 days from the date that it was submitted; establishes two full-time equivalent (2.0 FTE) positions within the Division of Aquatic Resources to support the permit review process; declares that the general fund expenditure ceiling is exceeded; and makes an appropriation. The Department supports this bill.

Permitting is an obstacle to aquaculture development as it can be a complex, time-consuming, and difficult process to navigate. The Department advocates all efforts to improve oversight efficiency and streamline the process while ensuring the protection of the environment.

As such, the Department supports this measure. Thank you for the opportunity to testify on this measure.



SB-2149

Submitted on: 1/28/2024 11:38:31 AM

Testimony for AEN on 1/29/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ronald Weidenbach	Testifying for Hawaii Aquaculture and Aquaponics Association	Support	Written Testimony Only

Comments:

The Hawaii Aquaculture and Aquaponics Association (HAAA) supports the intent of SB2149 to give the Department a time limit to process and grant a permit to fish, possess, and sell regulated species. HAAA is aware that recently permits have taken excessively long processing times. Aquaculture farmers have been delayed in there planning and production because of this current situation.

SB-2149

Submitted on: 1/26/2024 9:19:37 AM

Testimony for AEN on 1/29/2024 1:00:00 PM

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

Comments:

I support this measure with comments. I recommend that priority on permitting should be given for restocking fishponds, stock enhancements, and/or research for those purposes which ultimately will feed our people. Otherwise, all other aquaculture permits should be processed with no priority over all other SAP applications.

Mahalo,

U'ilani

SB-2149

Submitted on: 1/27/2024 3:20:17 PM

Testimony for AEN on 1/29/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Maria Haws	Individual	Support	Written Testimony Only

Comments:

I am providing this testimony in my capacity as a private citizen, but also as a member of the Hawaii Aquaculture and Aquaponics Association (HAAA). I have forty years of experience with aquaculture research, teaching and commercial production. During this time I have worked for the Pacific Aquaculture and Coastal Resources Center (PACRC) at the University of Hawaii for twenty four years and currently serve as a Professor of Aquaculture.

Over the last ten years, it has become increasingly difficult to obtain permits for any form of aquaculture from the various divisions of DLNR. Of particular difficulty are the Special Activities Permits (SAP) authorized by DAR. These allow researchers to collect specimens for research or use in hatcheries, or to conduct other activities such as experimenting with small scale aquaculture systems. Even non-intrusive observations of wild animals can require a SAP.

Over the last five years, it has taken at 6 months to 17 months to renew existing SAPs or to apply for new SAPs. Most of the permit applications I have made are simply to collect a limited number of bivalves or sea cucumbers for research or to produce oyster, clams, etc to provide to users, including to *loko i'a*. In the case of the permits related to fish, the delay is even longer.

The following are examples of permits I applied for and how long each took to receive:

1. **9 months to authorize.** SAP-2764 (collect marine ornamental fish for research), applied: 2/23/21, received: 11/14/22.
2. **6 months to authorize.** SAP-2781 (renewal request to collect bivalves/seacucumbers for research), applied: 3/11/21. Received: 9/13/21.
3. **17 months to authorize.** SAP-2800 (renewal request to collect aholehole, mullet, moi and other food fish), applied: 3/29/21, received: 11/14/22.
4. **12 months to authorize:** SAP-5345 (renewal request to collect bivalves/seacucumbers for research), applied 11/29/22, received: 12/8/2023.

In November 2022, I submitted applications for the PACRC Aquaculture Facilities License (AFL) and a business permit (renewals). HDOA conducted the required inspection of the facilities in January 2023. However, it was only in November 2023 that we received the AFL (**12 months after application**).

I recently lost \$40,000 from a USDA grant because the lack of a collection permit prevented me from finishing the work. Also, I routinely bring in \$1.2 million (average) in grants each year. I

could double this if it were possible to get permits on time. I often choose **not to even apply** for certain grants because it is impossible to obtain permits in a timely manner. The same delays also prevent scientists in other fields such as marine biology from doing their research and teaching activities.

These permits are extremely important in order to protect the marine environment while fostering R&D and food production. DAR and other units of DLNR need resources in order to review, analyze and process permit applications. For this reason, I strongly support SB 2149 and the allocation of resources to allow important agencies such as DAR to issue permits in a timely fashion.



KOWA PREMIUM FOODS HAWAII CORPORATION
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LATE

28 January 2024

TO: Senator Mike Gabbard, Chair; and Senator Herbert M. "Tim" Richards III, Vice Chair
Senate Committee on Agriculture and Environment (AEN)
Senator Lorraine R. Inouye, Chair; and Senator Brandon J.C. Elefante, Vice Chair
Senate Committee on Water and Land

Monday, January 28, 2024; 1:00 p.m.; State Capitol Conference Room 229 & Videoconference

RE: SUPPORT FOR SENATE BILL 2149 RELATING TO PERMITS – Requires DLNR to approve or deny an aquaculture application within 90 days of submittal

Aloha Chair Gabbard, Vice Chair Richards, Chair Inouye, Vice Chair Elefante, and Members of the Committees,

Kowa Premium Foods Hawaii Corporation strongly supports SB 2149: Relating to Permits we have had various permit applications that took so much longer than needed that by the time we were in a position to move forward, the situation or market has changed. This does not make for a feasible aquaculture venture at all.

We have been an abalone farm since 1998, and contributes a lot to the island economy by supplying work, selling abalone into the local market, renting space and buying water from NELHA, and attracting tourists both with abalone sales and farm tours.

In order for our business to be feasible, we have to optimize the water usage thus we have looked into polyculture since the onset of the business, as well as using abalone effluent water to grow a local alga. The challenge all along has been getting the right permits in place and getting them in time to actually move forward with the project while the market is hot.



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Thank you for your understanding and support in this matter.

Regards

A handwritten signature in black ink, appearing to read "Cecilia Viljoen", is written over a horizontal dotted line.

Cecilia Viljoen (R & D QC Advisor)

Email: cviljoen@bigislandabalone.com

LATE

SB-2149

Submitted on: 1/29/2024 4:48:20 AM

Testimony for AEN on 1/29/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Klayton Kubo	Individual	Support	Written Testimony Only

Comments:

Support