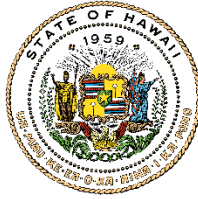


JOSH GREEN, M.D.  
GOVERNOR | KE KIA ĀINA

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

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

RYAN K.P. KANAKA'OLE  
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 Senate Committees on  
WATER AND LAND  
and  
AGRICULTURE AND ENVIRONMENT

Wednesday, February 12, 2025  
1:05 PM  
State Capitol, Conference Room 229 & Videoconference

In consideration of  
SENATE BILL 1074  
RELATING TO ENVIRONMENTAL IMPACT STATEMENTS

Senate Bill 1074 proposes an amendment to Chapter 343, Hawaii Revised Statutes (HRS), also known as the Hawai'i Environmental Policy Act (HEPA), to allow a previously authorized or permitted activity or operations to continue operation while the appropriate agency determines whether the activity or operation is subject to or exempt from the environmental review process when challenged. This bill also allows a person with the oversight of a previously authorized or permitted activity to renew the appropriate permits while under the environmental review process. **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 permits the status quo, no expansion of activities, pending the Department's determination of appropriate environmental review.

Mahalo for the opportunity to testify on this measure.

**JOSH GREEN, M.D.**  
Governor

**SYLVIA LUKE**  
Lt. Governor



**SHARON HURD**  
Chairperson, Board of Agriculture

**DEAN M. MATSUKAWA**  
Deputy to the Chairperson

State of Hawai'i  
**DEPARTMENT OF AGRICULTURE**  
KA 'OIHANA MAHI'AI  
1428 South King Street  
Honolulu, Hawai'i 96814-2512  
Phone: (808) 973-9600 FAX: (808) 973-9613

**TESTIMONY OF SHARON HURD**  
**CHAIRPERSON, BOARD OF AGRICULTURE**

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

**WEDNESDAY, FEBRUARY 12, 2025**  
**1:05 PM**  
**CONFERENCE ROOM 229**

**SENATE BILL NO. 1074**  
**RELATING TO ENVIRONMENTAL IMPACT STATEMENTS**

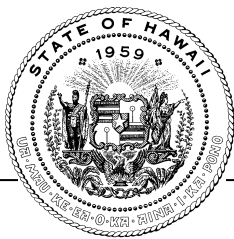
Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill 1074 that allows a previously authorized or permitted activity or operations to continue operation while the appropriate agency determines whether the activity or operation is subject to or exempt from the environmental review process when challenged and allows a person with oversight of a previously authorized or permitted activity to renew the appropriate permits while under the environmental review process.

The Department supports this bill and the additions to Chapter 343 that provides guidance for operations to continue to operate while determining whether the operation is subject to or exempt from the requirements of the chapter. Existing farm and ranch operations would be negatively impacted if subjected to recent court decisions that broadened the definition to include long-standing commercial operations.

Thank you for the opportunity to testify on this measure.





**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  
**SENATE COMMITTEES ON WATER AND LAND**  
and  
**AGRICULTURE AND ENVIRONMENT**

Wednesday, February 12, 2025, 1:05 PM  
State Capitol, Conference Room 229

in consideration of  
**SB 1074**  
**RELATING TO ENVIRONMENTAL IMPACT STATEMENTS.**

Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and Members of the Senate Committees on Water & Land and Agriculture & Environment.

The Office of Planning and Sustainable Development (OPSD) appreciates the intent of SB 1074, and offers comments with an amendment on SB 1074 which intends to clarify and resolve the effect that recent court decisions have had on long-standing historically permitted activities in managed areas. This bill is similar to other bills (HB 658 and HB 661) with the goal of maintaining the State's environmental standards while generally clarifying that the subject activities should not be burdened with unnecessary regulatory hurdles. SB 1074 would amend HRS Chapter 343 by adding a new paragraph with language establishing that under certain circumstances, a previously permitted or authorized action that is being challenged as to whether the action is subject to the requirements of the HRS 343 may continue while those requirements are being pursued.

While the findings section of this bill suggests that commercial (i.e., private) activities are intended to be the subject of the bill, verbiage in the proposed new language (on page 2, line 12, and again on page 3, lines 9 & 10) state that the subject activities include those "... or undertaken by a state or county agency ...." This creates confusion as to the intent of the bill.

Further, proposed language on page 2, line 20 references the appropriate "accepting agency" which is not a defined term in either HRS 343 or the rules for Hawaii's environmental review process (aka HEPA). If the intent is for the amendment to apply only to private commercial applicants going through HEPA, then the correct term would be "approving agency."

SB 1074 RELATING TO ENVIRONMENTAL IMPACT STATEMENTS - COMMENTS  
State Office of Planning and Sustainable Development  
February 12, 2025

Thank you for the opportunity to testify on this measure.

**SB-1074**

Submitted on: 2/10/2025 5:58:56 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
George F. Garnes III	Testifying for Sailing Ships LTD	Support	In Person

Comments:

Testimony in Strong Support for SB1074

Aloha Chair and Members of the Committee,

My name is George Garnes and I strongly support SB1074.

SB1074 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 SB1074 and support our local families and businesses.

Mahalo for considering this testimony.

Sincerely,

George F Garnes III



SENATOR LORRAIN R. INOUE, CHAIR  
SENATOR BRANDON J.C. ELEFANTE, VICE CHAIR  
SENATE COMMITTEE ON WATER & LAND

SENATOR MIKE GABBARD, CHAIR  
SENATOR HERBERT M. "TIM" RICHARDS, VICE CHAIR  
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

TESTIMONY IN **STRONG OPPOSITION** TO SENATE BILL SB 1074,  
RELATING TO ENVIRONMENTAL IMPACT STATEMENTS

February 12, 2025, 1:05 p.m.  
Conference Room 229  
State Capitol  
415 South Beretania Street

Dear Chairs Inouye and Gabbard, Vice-Chairs Elefante and Richards, and members of the Senate Committees on Water & Land and Agriculture & Environment:

Earthjustice **strongly opposes SB 1074**, which, if passed, would severely undermine core protections provided by the Hawai'i Environmental Policy Act ("HEPA"), one of Hawai'i's bedrock environmental laws. The proposed amendment would negate HEPA's fundamental purpose for a broad subset of permitted activities, allowing irreparable environmental harm in instances where environmental review is determined to be necessary. Please reject and hold this bill.

The legislature established HEPA over 50 years ago to mandate the disclosure and analysis 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. HRS § 343-5(a). For decades, HEPA and the process it prescribes have been central to protecting Hawai'i's environment for the long-term benefit of its citizens.

SB 1074's preamble suggests, however, that "the State's environmental review process" is to blame for "commercial operations" being "forced to cease operations." Again, HEPA has been in place for half a century; any jeopardy in which such operations now find themselves is not the fault of this long-standing statute. The further assertion that "recent court decisions have broadened the definition of 'action'" is also untrue and unsupported. *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” 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. Moreover, 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. And long before *Umberger* was decided in 2017, *DLNR itself, not the courts*, applied HEPA to fisheries in preparing a programmatic environmental assessment for fish aggregating devices in 2012.

Having begun from faulty premises, SB 1074 then subverts HEPA’s core requirements by proposing to allow ongoing or recurring permitted activities to continue even while undergoing environmental review. This is a disproportionate response to the stated reasons for the legislation and threatens to cause sweeping damage beyond its intended scope, even while missing its purported target. 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. Put simply, SB 1074 is 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). 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.

For these reasons, Earthjustice strongly opposes SB 1074 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.

Mahesh Cleveland

A handwritten signature in blue ink, appearing to read 'MC', enclosed within a faint, irregular oval shape.

Senior Associate Attorney  
Earthjustice, Mid-Pacific Office





# SIERRA CLUB OF HAWAI'I

## SENATE COMMITTEE ON WATER AND LAND SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

February 12, 2025

1:05 PM

CR229

### In **OPPOSITION** to **SB1074**: RELATING TO ENVIRONMENTAL IMPACT STATEMENTS

---

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

On behalf of our over 20,000 members and supporters, the Sierra Club of Hawai'i **STRONGLY OPPOSES SB1074**, 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 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 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 noncompliance with environmental review laws are 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 – with no meaningful remedy for the unaccounted-for harms inflicted, as legal challenges 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 Committees to **HOLD** SB1074. Thank you very much for this opportunity to testify.

**SB-1074**

Submitted on: 2/10/2025 7:51:20 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Tony Coscia	Testifying for Captain Andy's Sailing Inc	Support	Remotely Via Zoom

Comments:

Aloha Chairs, Vice Chairs, and Members of the Committee,

My name is Tony Coscia, and I am an operations manager in the marine tourism industry. I'm also a proud father of an 8-month-old son, and like many others, I am deeply concerned about the future we're shaping for the next generation. My wife and I both work in the marine tourism industry, and together, we understand the balance required to protect the environment while supporting local families who depend on this industry.

As a long-standing tour operator, we are committed to environmental responsibility. We follow strict regulations to ensure the protection of places like the Na Pali Coast and the marine life that makes it so special. However, recent legal decisions have blurred the lines between new developments and well-established businesses like ours, creating unnecessary uncertainty for operators who have been in full compliance for years.

S.B. 1074 offers a much-needed solution by allowing businesses to continue operations during the environmental review process, ensuring that we don't face unnecessary disruptions. It provides a way to safeguard jobs and businesses while maintaining environmental integrity. It's essential for businesses to be able to operate while going through the review process, without being forced to shut down or face delays.

As a new father, I want my son to grow up in a Hawai'i that prioritizes both environmental protection and sustainable livelihoods for families like mine and my wife's. I respectfully ask for your strong support of S.B. 1074, so we can continue to protect what makes Hawai'i special while ensuring a stable future for our economy.

Mahalo for your time and consideration.

Tony Coscia  
Operations Manager, Captain Andy's Sailing Adventures

**SB-1074**

Submitted on: 2/10/2025 2:10:23 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Daniel Hazen	Testifying for Holo Holo Charters, Inc.	Support	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 Senate Bill 1074**. This bill is vital for ensuring that previously permitted activities can continue operating while undergoing environmental review if their permits are challenged.

SB1074 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 SB1074 and support the families, businesses, and local communities that depend on these activities for their livelihoods.

Sincerely,  
Daniel Hazen

Operations Manager

Holo Holo Charters, Inc.



COMMITTEE ON WATER AND LAND

COMMITTEE ON AGRICULTURE AND ENVIRONMENT

DATE: Wednesday, February 12, 2025

TIME: 1:05 PM

**Strongly Support SB1074**

Aloha Chairs Inouye/Gabbard and Vice Chairs Elefante/Richards 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 **SB1074**.

SB1074 allows previously permitted activities to continue operating while undergoing environmental assessment, or an environment impact statement is required. This is critical for ensuring regulatory stability and preventing unnecessary interruptions for compliant businesses.

Usually, an environmental review is required before opening an area to commercial activities. However, for those commercial activities that started some 40 years ago, this review may not have taken place. Activities that use Hawaii's natural resources are stewards of the place being used. They provide safety, security, and access to the place and the visitors. These users support environmental protection. They are now collateral damage from DLNR oversight.

A court case from 2017 now threatens to close down Ka'anapali commercial boating over allegations that have little to do with commercial boating today in that area. The order will force lawfully permitted operators to shut down for years while spending hundreds of thousands of dollars to conduct environmental studies. This EA should focus on the impact of boating activity while none will occur. This action alone will lead to the closure of local businesses and the loss of jobs an estimated 230 jobs.

History has shown that activities that have lost their permits and been shut down don't return. Please do not let this be the case for the hundreds of businesses and residents who depend on these activities for their livelihoods. Please pass SB1074 and support our local families and businesses.

Mahalo for your time,

Toni Marie Davis

**SB-1074**

Submitted on: 2/11/2025 10:41:26 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Isaac Harp	Testifying for NWHI hui	Oppose	Remotely Via Zoom

Comments:

Do not weaken HEPA for the sake of commercial interests or to relieve state agencies from their responsibilities to protect Hawaii's environment.



February 12, 2025, 105pm

Senate Committees on Water & Land and Agriculture and Environmental Protection

**RE: STRONG OPPOSITION SB1074; Relating to Environmental Review**

Dear Chairs Inouye & Gabbard and Committee Members,

For the Fishes, a Maui-based nonprofit organization dedicated to protecting Hawaii's coral reef wildlife **strongly opposes SB1074 which proposes to drastically amend our Hawaii Environmental Policy Act (HEPA) by amending the definition of "action" to dangerously and broadly apply to any "ongoing or recurring activities that have been lawfully permitted and are governed by administrative rules or management plans..."**

This proposed new definition completely undermines the entire intent and protections the legislature determined may be necessary in protecting our critical natural resources, held in the public trust for all the peoples of Hawaii. Further, exempting existing activities from potential environmental review completely removes the public 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.

Given climate change impacts, such as coral bleaching and ocean temperature rise, are forecast to only increase in frequency and intensity in the coming years, activities that may have been at one time acceptable, given their cumulative impact was either unknown or appeared negligible, could now be a major threat to our natural resources and constitutionally protected cultural practices, yet be completely exempt from any analyses.

This proposal would also strip DLNR of its requirement to employ the precautionary principle for activities that have unknown impacts or where scientific data is poor or lacking, if the activity was recurring. Equally, new scientific findings would be completely ignored under this proposal, if the activity had been ongoing prior to scientific discovery.

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



**LATE**

February 11, 2025

**Testimony in Strong Support of SB1074**

Committee on Water and Land and Committee on Agriculture and Environment

Dear Chair Inouye and Chair Gabbard, and Members of Your Committees:

Our ocean related business is one of hundreds across the State, that will be negatively impacted if the legislature does not pass SB1074 and by doing so, support the many hundreds of active businesses statewide that already operate under the significant environmental scrutiny of the Department of Land and Natural Resources (DLNR).

A recent court decision regarding a handful of boating businesses in Kaanapali, opens a Pandora's Box by suggesting that even long-standing, environmentally regulated, rules-compliant, ocean related businesses, could be faced with the added burden of extensive environmental reviews, and to being summarily shut down, while an environmental assessment or a full environmental impact statement, is undertaken by the agency.

Allowing permitted businesses to continue operation while under review is both reasonable and appropriate in this case, because forcing a business to shut down while the DLNR (or any other agency) performs an environmental review, would be a death nell for any active ocean related small business.

Please pass SB1074 out of your committees and recommend its passage by the full Senate.

Mahalo,

GKM, INC. DBA THE YARD

Shane O'Brien  
President



**SB-1074**

Submitted on: 2/7/2025 8:18:51 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

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

Comments:

Aloha,

I support this bill. It is imperative to our company, our employees and our suppliers that we are able to operate while we fight any legal challenges that can easily arise out of nowhere for a myriad of reasons.

Mahalo



Senate Committee on Water and Land  
Senate Committee on Agriculture and Environment

Wednesday, February 12, 2025, 1:05 PM Hearing in Conference Room 229 on  
SB 1074, Relating to Environmental Impact Statements

TESTIMONY

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

Chair Inouye, Chair Gabbard, Vice Chair Elefante, Vice Chair Richards, and Committee  
Members:

**The League of Women Voters of Hawaii opposes SB 1074.** Chapter 343, Hawaii Revised Statutes requires public notice, environmental analysis, and a formal opportunity for public comment concerning actions which may have significant adverse environmental effects. These are reasonable requirements for renewal of permits for stream diversions, intensive commercial fishing, heavy use of pesticides, underground injection of wastewater, or commercial activities which compete with recreational use of nearshore waters. However, SB 1074 would eliminate any deadline for Chapter 343 compliance for permits to continue actions which have significant environmental impacts but do not involve “construction, grading, dredging, or other structural modifications”.

Thank you for the opportunity to submit testimony.

COMMITTEE ON WATER AND LAND

Senator Lorraine R. Inouye, Chair

Senator Brandon J.C. Elefante, Vice Chair

COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Senator Mike Gabbard, Chair

Senator Herbert M. "Tim" Richards, III, Vice Chair

DATE: Wednesday, February 12, 2025

TIME: 1:05 PM

PLACE: Conference Room 229

**TESTIMONY IN STRONG SUPPORT OF  
SB1074**

Aloha Chair Inouye, Chair Gabbard and Committees,

The Maui and Hotel Lodging Association is providing written testimony in **STRONG SUPPORT** of SB1074. We support preventing unnecessary disruptions to law-abiding businesses, ensuring stability for commercial boating and other compliant operations. Businesses need to know that they will be able to renew their permit each year to provide security for their employees, financial institutions, etc.

Mahalo for your consideration,

John Pele

Executive Director- Maui Hotel and Lodging Association

[John.pele@mauihla.org](mailto:John.pele@mauihla.org)

(808)658-5114



**TESTIMONY SB:1074**  
**TESTIMONY IN FULL SUPPORT of SB 1074 – Environmental**  
**Review**

Aloha Chair and Members of the Committee,

I, Peter Wood, am in complete support of SB 1074. I'm asking you to please vote for and pass SB 1074 for the sake of our communities, families, business investments and small entrepreneurs that are the backbone of our economy. As I interpret SB 1074, it allows for an operator to go forward and continue with their operations and services during the process of an environmental review. Permitted services would be allowed to continue all operations as normal if or 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. Realizing that it is very 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 within noted guidelines to remain in business.

If long-standing permit holders such as ours, that have operated within guidelines and followed all regulations, are put into a position where they need to stop all activities of our businesses during environmental reviews, it is inevitable that the closures will be permanent. Our companies are and have been following and abiding by all guidelines for decades. If our companies are forced to close, research clearly shows we will be unable to reopen at some unforeseeable time in the future. To lose strong, dependable and most importantly safe operators will be devastating for the local community who need jobs to stay on Maui. In particular West Maui has suffered from the Lahaina Fires and only recently has begun to see any economic recovery.

We should not have to lose more valuable Hawaii jobs and reputable community businesses - especially in this avoidable manner.

Mahalo for your time and consideration of my testimony.

Captain Peter Wood  
Shangri-La Sailing Charters – 808 870-3672





**TESTIMONY SB:1074**  
**TESTIMONY IN FULL SUPPORT of SB 1074 – Environmental**  
**Review**

February 5, 2025

Aloha Chair and Members of the Committee,

I, Inca Robbin, am in complete support of SB 1074. As I interpret SB 1074 it enables an operator to continue with their operations and services during the process of an environmental review. Services as “permitted,” would be allowed to continue normal operations if or when permits are challenged for environmental or other concerns. Having this continuation of services is crucial as it allows the operator to remain in business until or if reviews show that for any reason operations should be discontinued.

Although significant importance should be given to protecting and being responsible for Hawaii’s natural resources, it is also important to respect and allow professional businesses to operate safely and within regulations to remain in business.

We will lose dependable operators, punished despite abiding by the guidelines and obeying the authorities, if these long-standing permit holders are put into a position where they would be forced to halt all activities of their business during an environmental review. We should not lose more valuable Hawaii jobs and reputable community businesses in this preventable manner. I’m asking you to please vote for and pass SB 1074 for the sake of our communities, families, business investments and small entrepreneurs that are the backbone of our economy.

Mahalo for considering my testimony.

Sincerely,

Inca Robbin 808-870-3673  
Sailing Maui Inc.



COMMITTEE ON WATER AND LAND

Senator Lorraine R. Inouye, Chair  
Senator Brandon J.C. Elefante, Vice Chair

COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Senator Mike Gabbard, Chair  
Senator Herbert M. "Tim" Richards, III, Vice Chair

Testimony for SB1074

Subject: Testimony in **Strong Support of SB1074** – Relating to Environmental Impact Statements

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

I am Mendy Dant, President of Fair Wind Cruises and Kona Sunrise Charters, a family-owned snorkel business in Kona since 1971, and I strongly support SB1074.

Recent court decisions have expanded the definition of an environmental "action." The new definition inadvertently includes long-standing, historically permitted activities in state-managed areas like ocean recreation management areas, marine life conservation districts, and game management areas. 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 have been lawfully operating for decades under administrative rules and will be forced to close unless the legislature takes immediate action.

SB1074 ensures that previously authorized or permitted activities or operations continue operation while the appropriate agency determines whether the activity /operation is subject to or exempt from the review process. 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

**SB-1074**

Submitted on: 2/10/2025 6:47:48 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Gabriel Lucy	Testifying for Captain Andys Sailing Adventures	Support	Written Testimony Only

Comments:

Aloha Esteemed Chairs, Vice Chairs, and Members of the Senate Committee,

My name is Gabriel Lucy, and I am the General Manager and President of Captain Andy's Sailing Adventures on Kauai. I am testifying in strong support of S.B. 1074, a bill that will help protect long-standing businesses in Hawaii from unnecessary disruptions caused by recent changes to the environmental review process.

For over 40 years, Captain Andy's has provided meaningful experiences on the Na Pali Coast while respecting and protecting Hawaii's natural environment. We follow strict regulations to ensure that our operations do no harm to the delicate marine ecosystems we rely on. However, recent court rulings have expanded the scope of environmental reviews under Chapter 343, creating uncertainty and potential disruptions for businesses like ours and others across the islands.

S.B. 1074 addresses this by allowing long-permitted and well-regulated activities to continue operating while any necessary environmental assessments or impact statements are being prepared. Without this protection, businesses that have complied with environmental standards for decades could face sudden shutdowns and delays, threatening local jobs and economic stability. This bill ensures that compliance and responsibility are respected while still protecting our environment.

Importantly, the bill does not exempt large or structurally disruptive activities like construction or dredging from immediate review. It simply ensures that ongoing, non-disruptive operations can continue without unnecessary interruptions.

I urge you to support S.B. 1074 to safeguard responsible businesses, protect local jobs, and maintain Hawaii's commitment to environmental stewardship.

Mahalo nui loa,  
Gabriel Lucy  
General Manager/President  
Captain Andy's Sailing Adventures



**TESTIMONY SB:1074**

**TESTIMONY IF FULL SUPPORT of SB 1074 – 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 SB1074, which provides critical protection for long-standing operators during environmental review processes.

As I understand it, SB1074 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 could result in job losses, financial instability, and a negative impact on the broader community.

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 a blow to Hawaii's economy and community resilience. SB1074 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 SB1074 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

**SB-1074**

Submitted on: 2/10/2025 1:39:34 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

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

Comments:

Aloha Chair and Members of the Committee,

My name is Chandra Bertsch, and I strongly support SB1074 because it ensures fairness, stability, and common sense in our regulatory process. This bill protects law-abiding businesses from being forced into costly shutdowns during environmental reviews—an often lengthy process that can take years and devastate local industries.

Environmental protection is critical, but the review process is being weaponized to shut down businesses before any real evidence of harm is established. Just as Americans are innocent until proven guilty, responsible businesses should not be presumed guilty and bankrupted in the process.

SB1074 strikes the right balance—preserving environmental oversight while allowing businesses to continue operating until facts, not legal tactics, determine their future. Sustainability means protecting both our environment and our economy.

I urge you to pass SB1074 and keep Hawai‘i working.

Mahalo for your time and consideration.

Chandra Bertsch  
Co-Owner & General Manager  
Holo Holo Charters

**SB-1074**

Submitted on: 2/10/2025 10:51:48 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Teri Leicher	Testifying for Jack's Diving Locker	Support	Written Testimony Only

Comments:

Aloha,

My Name is Teri Leicher. I am testifying in favor of SB1074, on behalf of my business, Jack's Diving Locker and Ocean Recreation in general.

We have been in the business of education, snorkeling and Scuba in Kailua-Kona for over 40 years. We have worked hard to always been a good example of stewardship of the land and ocean.

We understand that with modern technology and changing times, that new environmental assessments may need to be updated from time to time.

During these times, permittees in good standing should be allowed to keep their permits active. They should also be called upon to help with the assessments and they will possess knowledge that can be useful and important during the processes.

Mahalo,

Teri Leicher

managing Partner

**SB-1074**

Submitted on: 2/10/2025 6:06:34 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Nick Croft	Testifying for Explore Kauai Scuba, LLC	Support	Written Testimony Only

Comments:

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

My name is Nick Croft and I strongly support SB1074.

This bill ensures that businesses operating with valid permits can continue while undergoing environmental review if those permits are challenged. It provides much-needed regulatory stability and prevents unnecessary disruptions for law-abiding businesses.

SB1074 upholds environmental protections while eliminating redundant reviews, striking a fair balance between preserving Hawaii's natural resources and supporting long-standing, regulated industries.

Requiring permitted operators to shut down for years and spend hundreds of thousands of dollars on environmental studies will inevitably force businesses to close, leading to job losses across the state. We cannot afford to let this happen.

I urge you to pass SB1074 to protect the livelihoods of the many businesses and families who rely on these activities.

Mahalo Nui Loa for your time and consideration,

Nick Croft

Owner/Operator of Explore Kauai Scuba, LLC

**SB-1074**

Submitted on: 2/10/2025 6:34:02 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Iwa Shaw	Testifying for Absolute Charters, Inc.	Support	Written Testimony Only

## Comments:

Aloha. My name is 'Iwa Shaw, I am writing in support of this bill as a full time Maui resident who was born and raised in the state of Hawai'i, as well as the owner of a small, 'ohana owned and operated tour boat business in Lahaina, Maui. My business is a long standing commercially permitted operation that complies with all rules and regulations. I depend on the ability to renew my permits annually as well as continue operations as expected to support myself, my family, my employees, and all of the other vendors and entities that I support through business such as local restaurants for catering, local print shops for retail, fuel, ice, etc. A sudden shut down of operations or non-renewal of our permit while we wait for an environmental assesment, even if we were allowed to operate again after the assessment was completed, would be detrimental to our business and our lives. This bill helps protect us from that. Please pass this bill.

**SB-1074**

Submitted on: 2/10/2025 8:39:59 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

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

Comments:

Aloha!

The Free Access Coalition opposes SB1074. Review of illegal moves by private entities must be studied and regulated to keep our aina safe for future generations.

Mahalo for your time!

**SB-1074**

Submitted on: 2/10/2025 8:53:51 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

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

Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

Our 'Big Island Reef Keepers hui' **strongly opposes SB1074**, 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 Hold SB 1074

Thank you,

R A Culbertson, member

Big Island Reef Keepers hui

**SB-1074**

Submitted on: 2/11/2025 8:25:17 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

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

## Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

My name is Susan RobertsEmery, I am Co-chair of the Green Party of Hawai'i. Today we write to you to offer our opinion that we **strongly oppose SB1074**, 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.

This bill would turn our oversight 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. Please do the right thing for the people of Hawai'i.

We urge you to **HOLD SB1074**.

Mahalo,

Susan RobertsEmery  
Co chair GPH  
Green Party of Hawai'i  
Paauilo



**SB-1074**

Submitted on: 2/11/2025 9:45:35 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Richard Kersten	Testifying for Sea Paradise Scuba Inc.	Support	Written Testimony Only

Comments:

Aloha Chair and Committee Members

We are Richard and Holly Kersten, owners of Sea Paradise Scuba Inc.

We are writing today in strong support of **HB1074**.

Sea Paradise has been in operation since 1985 and we have worked through every EA required to stay open. Asking us to go through the same procedures of and EA; which we have already done many times and potentially close operation until completed would put our company out of business.

Please vote to pass HB1074.

Mahalo,

Richard & Holly Kersten

President & VP

Sea Paradise Scuba Inc.

**SB-1074**

Submitted on: 2/11/2025 10:19:44 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Shelley M Kekuna	Testifying for Ka'anapali Beach Resort Association	Support	Written Testimony Only

Comments:

Testimony for SB1074

Subject: Testimony in Support of SB1074 – Relating to Environmental Review

Aloha Chair and Members of the Committee,

I am Shelley Kekuna, Executive Director of Kā'anapali Beach Resort Association, and I strongly support SB1074. I appreciate this opportunity to give testimony on behalf of the sixteen members of the Association, comprised of hotels, condos and businesses all located within a specific geographical location identified as the Kā'anapali Beach Resort on the west side of Maui.

SB1074 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. KBRA acknowledges that sound environmental and protective practices evolve as time goes by. In an effort to reduce the Resort's carbon footprint, the Resort partners have continued finding new ways to accomplish that goal, 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.

We are in support of being 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.

Between COVID and the Lahaina fire, Maui's businesses have faced seemingly unsurmountable challenges for years. History has shown that activities that have lost their permits and been shut down do not 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 SB1074 and support our local families and businesses.

Mahalo for considering this testimony.

Sincerely,

Shelley Kekuna

Executive Director

Kā'anapali Beach Resort Association



**SB-1074**

Submitted on: 2/11/2025 10:43:55 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
HN Warrington	Testifying for Kupuna for the Moopuna	Oppose	Written Testimony Only

## Comments:

Kupuna for the Moopuna is in **STRONG OPPOSITION to SB1074**, allowing 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. **Hewa!**

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 now and for the next generations to come. **Please HOLD SB1074.** Mahalo.



# MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

HEARING BEFORE THE SENATE COMMITTEES ON  
WATER AND LAND and AGRICULTURE AND ENVIRONMENT  
HAWAII STATE CAPITOL, SENATE CONFERENCE ROOM 229  
Wednesday, February 12, 2025 AT 1:05 P.M.

To The Honorable Senator Lorraine R. Inouye, Chair  
The Honorable Brandon J.C. Elefante, Vice Chair  
Members of the Committee on Water and Land  
To The Honorable Senator Mike Gabbard, Chair  
The Honorable Senator Herbert M. "Tim" Richards, III, Vice Chair  
Members of the Committee on Agriculture and Environment

## SUPPORT SB1074 RELATING TO ENVIRONMENTAL IMPACT STATEMENTS

The Maui Chamber of Commerce **SUPPORTS SB1074**, which allows a previously authorized or permitted activity or operations to continue operation while the appropriate agency determines whether the activity or operation is subject to or exempt from the environmental review process when challenged; and allows a person with oversight of a previously authorized or permitted activity to renew the appropriate permits while under the environmental review process.

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 SB1074** 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.

**SB-1074**

Submitted on: 2/11/2025 2:40:36 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

**LATE**

Submitted By	Organization	Testifier Position	Testify
Blake Moore	Testifying for Teralani Sailing Adventures	Support	Written Testimony Only

## Comments:

My name is Blake Moore and I am a boat operator in Kaanapali. I am writing to express my strong support for SB1070, which provides operators who are already highly regulated by federal laws and fully compliant with state and local laws/regulations a measure of fairness when existing laws are unfairly expanded and challenge the livelihoods of long-standing commercial ocean operators like myself.

For years, we have worked alongside local agencies to ensure responsible and sustainable operations while also supporting Maui's tourism-driven economy. However, recent uncertainty around access and permitting has created challenges that threaten not only our businesses but also the livelihoods of our employees, dozens of vendors that support our industry, and the visitor experience that so many rely on.

SB1070 is an important step in protecting equitable access for commercial operators at Kaanapali Beach. By ensuring fair and consistent regulations, this bill allows us to continue serving the community while upholding environmental responsibility and safety standards. Without this legislation, arbitrary restrictions could significantly impact our ability to operate, harming local jobs and businesses that have been part of Maui's economy for decades.

I urge you to support SB1070 to provide stability, fairness, and continued access for boat operators at Kaanapali. Mahalo for your time and consideration.

**LATE**

**SB-1074**

Submitted on: 2/11/2025 3:16:29 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Rod Nichols	Testifying for Kaanapali Kai Charters	Support	Written Testimony Only

Comments:

I am Rod Nichols from Teralani Sailing Adventures and I strongly support SB1074.

SB1074 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 SB1074 and support our local families and businesses.

Mahalo for considering this testimony.

Rod Nichols

**SB-1074**

Submitted on: 2/11/2025 3:57:41 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

**LATE**

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

Comments:

Dear Senators:

I write in opposition to SB1074 which would allow private entities to bypass the environmental review law. To allow illegal activities to continue while under review would violate the responsibility of the state to protect and preserve public resources.

Please hold SB1074

Thank you, Diane E Shepherd DVM, Sierra Club, Maui Group

diane.shepherd@outlook.com 808-283-2024 3329 Kehala Dr, Kihei, HI 96753



**LATE**

**SB-1074**

Submitted on: 2/11/2025 4:13:53 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

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

Comments:

Aloha,

I support SB1074. With the fires we lost so much. We can't lose our jobs. It would devastate what is left of West Maui.

Respectfully,

Matt Talbot.

**LATE**



335 Hahani Street #342132 \* Kailua, HI 96734 \* Phone (808) 262-0682 E-Mail: htf3000@gmail.com

February 12, 2025

COMMITTEE ON WATER AND LAND

Senator Lorraine R Inouye, Chair  
Senator Brando J.C. Elefante, Vice Chair

COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Senator Mike Gabbard, Chair  
Senator Herbert M. "Tim" Richards, Vice Chair

**SB 245 RELATING TO OWNERSHIP OF AGRICULTURAL LAND**

Aloha chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water & Land and Agriculture and Environment Committees

Hawaii's Thousand Friends, a non-profit organization dedicated to ensuring that appropriate planning, management and land use decisions are made that protect the environment, human health and cultural resources and that decision are made in conformity with the law opposes SB 1074,

SB 1074 changes Hawaii's environmental review law HRS 343 to allow activities, which have been permitted without consideration of impacts to the environment, and natural and cultural resources to continue until the appropriate agency determines *after-the-fact* that the activity is required to follow HRS 343 or is exempt from environmental review.

Just because departments have not required certain projects to conduct an Environmental Assessment or Environmental Impact Statement doesn't make impacts to the environment, cultural and natural resources any less harmful.

In addition, ignoring HRS 343 processes eliminates the public's opportunity to participate in environmental oversight of projects that may impact their community and robs decision makers of information needed to make informed decisions

We urge you to not condone these past practices. Holding SB 1074 will send the message that no one is above the law.

**LATE**

**SB-1074**

Submitted on: 2/11/2025 9:00:01 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Gavin Ingraham	Testifying for Teralani Sailing Adventures	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee, I am Gavin Ingraham and I strongly support SB1074. SB1074 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 SB1074 and support our local families and businesses. Mahalo for considering this testimony. Sincerely, Gavin Ingraham

**LATE**

**SB-1074**

Submitted on: 2/11/2025 9:28:22 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Sammy Larrazabal	Testifying for Teralani	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am Sammy Larrazabal and I strongly support SB1074. SB1074 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 SB1074 and support our local families and businesses. Mahalo for considering this testimony.

Sincerely,

Sammy Larrazabal

**SB-1074**

Submitted on: 2/12/2025 5:40:42 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

**LATE**

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

Comments:

Aloha Chair and Members of the Committee,

I am Tanner Vaughn and I strongly support SB1074.

SB1074 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 SB1074 and support our local families and businesses.

Mahalo for considering this testimony.

Sincerely,

Tanner Vaughn

**SB-1074**

Submitted on: 2/10/2025 1:16:53 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Kim	Individual	Support	Remotely Via Zoom

Comments:

This is a moderate approach to allow review, without catastrophic impacts to various industry.

I believe there should be direction added that guides the process of environmental review and implementation of the findings

**SB-1074**

Submitted on: 2/11/2025 7:22:12 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

**LATE**

Submitted By	Organization	Testifier Position	Testify
Klayton Kubo	Individual	Support	Remotely Via Zoom

Comments:

Support

**SB-1074**

Submitted on: 2/12/2025 8:33:11 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

**LATE**

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

Comments:

Please oppose. This attempt by commercial operators to evade accountability will have adverse impacts beyond Kaanapali.

Bianca Isaki



**SB-1074**

Submitted on: 2/7/2025 6:44:48 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
penny levin	Individual	Comments	Written Testimony Only

## Comments:

This makes reasonable sense in some cases, however, it also may act as a back door to circumventing Supreme Court decisions regarding the requirement for an EIS for water leases that remove substantial amounts of water out of watersheds, particularly on Maui.

I recommend the addition of the following language: *This shall not include permits for water leases on state land where a million gallons of water per day or more are removed from a watershed for the purpose of transporting public water through a privately held ditch system which charges users for distribution...*

Kathleen M. Pahinui  
[Pahinuik001@hawaii.rr.com](mailto:Pahinuik001@hawaii.rr.com)

Saturday, February 8, 2025

COMMITTEE ON WATER AND LAND Senator Lorraine R. Inouye, Chair; Senator Brandon J.C. Elefante, Vice Chair

COMMITTEE ON AGRICULTURE AND ENVIRONMENT Senator Mike Gabbard, Chair; Senator Herbert M. "Tim" Richards, III, Vice Chair

Re: Testimony on SB 1074 RELATING TO AGRICULTURAL TOURISM

Aloha Chair Inouye and Chair Gabbard and Committee Members:

I am submitting comments only on this bill.

While the intent of the bill appears to not want to penalize a possible legitimate activity or operation while an agency is making a determination on the activity or operation, I do have a concern that those engaged in unauthorized activities will benefit from the delay in shutting them down.

Agency administrative rules should be clear enough to quickly identify if an activity or operation is allowed or not. If the agency's rules are not clear, then the legislature or agency should work to amend the rules for clarity.

Some of our state agencies are woefully lax in making decisions – that is not fair to the business, nor the community concerned. I recommend taking a close look at our state agencies and ensuring they are doing the work they are supposed to be doing and not delaying indefinitely important decisions.

Mālama 'āina,

*Kathleen M. Pahinui*

Kathleen M. Pahinui  
Resident, Waialua, North Shore, O'ahu

**SB-1074**

Submitted on: 2/8/2025 2:17:35 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
cheryl burghardt	Individual	Oppose	Written Testimony Only

Comments:

Aloha

I OPPOSE SB 1074 which allows a previously authorized or permitted activity or operations to continue operation while the appropriate agency determines whether the activity or operation is subject to or exempt from the environmental review process when challenged. Allows a person with oversight of a previously authorized or permitted activity to renew the appropriate permits while under the environmental review process.

I oppose because by allowing activity to continue while an agency determines whether it is subject to environmental review can be problematic for several reasons:

1. environmental damage can occur these impacts can go unnoticed or unaddressed and damage can be irreversible by the time it is identified.
2. Public trust and accountability can be eroded. It can give a perception that environmental laws are not taken seriously and that businesses and activities are given special treatment.
3. It undermines the integrity of environmental laws. It suggests that regulations are flexible or be ignored which might lead other entities in the future to ignore the laws
4. There are public health and safety risks involved which may not be immediately obvious to people, wildlife and land.

C. Burghardt

Kou, Oahu

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COMMITTEE ON WATER AND LAND, COMMITTEE ON AGRICULTURE AND ENVIRONMENT:  
Wednesday, February 12, 2025 TIME: 1:05 PM PLACE: Conference Room 229

Dear Senators,

I am a retired spouse of an ocean tourism event photographer who was forced out of the aquarium fishery by Act 343 and could not make much of a living as an eating fisherman. I am on a fixed income. **I am in support of SB1074.** All permittees, including fishermen, need to continue to have their permits while undergoing the EIS/HEPA process in order to pay for the EIS. With an expired permit, and no work, there are few financial resources to pay for an EIS. Not having a livelihood during the EIS process puts undue financial stress and hardship on a family.

Unable to keep and renew our permits before an EIS is completed is wrong and not pono. **Current rules operate under the assumption that permittees are GUILTY UNTIL THEY PROVE THEY ARE INNOCENT with an approved EIS.** It disregards the fact that many long-standing permits are highly monitored, in our case by the Division of Aquatic Resources (with monthly reporting, data collection, fish counts, and observations from enforcement personnel and studies). **Please EXEMPT ALL HIGHLY REGULATED OCEAN PERMITS FROM ALL HEPA LAWS AND VOTE YES SB1074 to allow previously permitted activities and operations to continue subject to or exempt from an environmental review.**

**A note of CAUTION: If the legislature does not act to approve these Act 343 correction bills, the Ocean Ka'anapali permit holders will be told by lawyers to sue the state to have all Ocean User permits apply to HEPA laws in Act 343. This is what our aquarium fisher lawyers told us after the 2017 ruling: To sue the state to require compliance from all CML fishing permits .**

Thank you,

Mary Beth Tubbs, M. Ed.  
Retired Teacher

**SB-1074**

Submitted on: 2/9/2025 12:09:33 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
CHARLES W WALL	Individual	Support	Written Testimony Only

Comments:

Against unfair regulation of tropical fish collection

**TESTIMONY SB:1074**

**TESTIMONY IF FULL SUPPORT of SB 1074 – Environmental Review**

**Aloha Chair and Members of the Committee,**

I, Michael T. Kelley am in **complete support of SB 1074.**

As I interpret SB 1074 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 SB 1074** 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,

Micheal T. Kelley  
808-385-5585

**SB-1074**

Submitted on: 2/9/2025 2:21:17 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Rebekah Kaufmann	Individual	Support	Written Testimony Only

Comments:

My name is Rebekah Kaufmann and I own and operate 2 boating Ocean businesses on the big Island of Hawaii.

I am testifying in support of SB1074. It is extremely important to allow responsible boating businesses to continue to operate even if challenged by an environmental review issue.

Ocean tourism is important and a benefit to the state and many members of our community. I feel very strongly about supporting this bill to support the boating businesses it could negatively effect if it does not go through.

Rebekah Kaufmann

Kohala Divers

Testimony for SB1074

Subject: Testimony in Strong Support for SB1074 -

Aloha Chair Lorraine Inouye and Members of the Water and Land Committee and Chair Mike Gabbard and members of the Agriculture and Environment Committee

My name is Richard C Lim and I strongly support HB661.

While I am currently retired, I was in banking for roughly 30 years, culminating as president of CityBank. I was also formerly a director of DBEDT and recently retired (12/2024) as president of Tradewind Capital. In these roles I have gleaned a decent amount of knowledge about business and the economy and the impacts that negative exogenous events can have on a business and the business community. Judge Peter Cahill's ruling clearly falls into this category.

I urge you to pass this bill to save the boating industry in Maui, where the tourism industry has yet to recover from the Lahaina fires.

The recent court decision to not allow the renewal of permits for Ka'anapali Beach seems draconian and would deal a devastating blow to the industry, **which was not responsible for and had no control over the completion of the EIS.**

Allowing boaters to continue to operate during the environmental review process would entail no cost to the taxpayers while failure to extend the leases will almost certainly result in the closure of businesses (many of which will be permanent) and the loss of jobs consistent with such closures. It will also deprive the State and Maui of income as tour boat operators are required to contribute 3% of gross revenues (MCTAT) in addition to paying general excise taxes income taxes.

There is no indication that allowing the boaters to operate until the EIS has been completed and any requisite regulations are promulgated would have a material impact on the environment. In fact, DLNR already has a responsible regulatory framework, designed to protect the environment with specific regulations to control pollution and protect the reefs. In addition there is a requirement for mandatory boating education as well as regulations that require boats to have mufflers and marinas to provide garbage reception facilities. Violations of these regulations can result in fines, administrative penalties and serious offenses may be deemed criminal.

As for complaints about crowding resulting from the engaging in onboarding from the shore, the temporary increase in beach traffic is hardly sufficient reason to disrupt the industry and it is not unreasonable to assume that many of the boat customers would spend more time on the beach if they were not boating.



In light of the dire consequences of inaction and the fact that there is no clear evidence that a relatively short term renewal of the boating licences will have adverse impacts on the environment, I respectfully urge you to pass HB661.

**SB-1074**

Submitted on: 2/9/2025 9:30:54 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Ginger Lucy	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

My name is Ginger Lucy, and I am both an owner and employee of Trilogy Excursions, a locally owned and operated business that has been serving Mau‘i’s residents and visitors for over 50 years. I am submitting this testimony in strong support of SB1074.

SB1074 allows previously permitted activities to continue operating while undergoing environmental review if their permits are challenged. This is a critical measure to ensure regulatory stability and to prevent unnecessary disruptions for compliant businesses that have operated lawfully for years.

This bill also maintains environmental protections while avoiding redundant and burdensome reviews that could otherwise lead to indefinite shutdowns. It strikes a fair balance between protecting Hawai‘i’s natural resources and supporting responsible, long-standing businesses that comply with regulations and contribute to the local economy.

Small businesses in Lahaina, in particular, continue to suffer due to challenges far beyond their control—devastating wildfires, the COVID-19 pandemic, and now the threat of losing their permits. These businesses have fought to survive through economic hardship and disaster, only to face yet another potential blow that could permanently shut them down.

Forcing lawfully permitted businesses to cease operations while undergoing costly and time-consuming environmental studies could drive local operators out of business and eliminate jobs for Hawai‘i residents. We have already seen how businesses that lose their permits and shut down often do not return.

For over 50 years, we have been a leader in sustainable tourism, prioritizing responsible marine stewardship, conservation, and cultural education. We, along with hundreds of businesses and thousands of employees statewide, rely on the ability to operate under fair and consistent permitting processes.

I respectfully urge you to pass SB1074 and ensure that lawful, responsible businesses can continue to operate while undergoing review. Support our local families, protect jobs, and uphold a fair regulatory system.

Mahalo for your time and consideration.

Ginger Lucy

**SB-1074**

Submitted on: 2/10/2025 8:41:54 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Peter o riordan	Individual	Support	Written Testimony Only

Comments:

**TESTIMONY SB:1074****TESTIMONY IF FULL SUPPORT of SB 1074 – Environmental Review**

**Aloha Chair and Members of the Committee,**

I, Peter O Riordan am in *complete support of SB 1074*.

As I interpret SB 1074 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 SB 1074* 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,

Peter O Riordan

**Subject:** Testimony in Strong Support of SB1074

**Aloha Chairs and Members of the Committee,**

I am Dan Shydler and I **strongly support SB1074**.

I have family and friends who have lived in Maui or other Hawaiian Islands for over 50 years. I have been a visitor for almost that long. My family and I love Maui. Just after the Lahaina Fires, we flew over to volunteer in August and September of 2023. We practiced “volunteer when we visit” even last November when we were in Maui.

Every time we are able to engage in whale watching, catamaran cruises, surfing, outrigger canoeing, parasailing, diving and/or snorkeling in West Maui, we learn about whales and other marine wildlife, underwater plants, ocean water dynamics and more from the crew, captain, naturalists, locals and others. Ocean activities are a unique and unforgettable way to gain real knowledge, appreciation and respect for ocean ecosystems. For these reasons, I’ve been tracking the impact of the environmental assessment decision on commercial boating and water activities.

SB1074 appears to be a good regulatory solution. SB1074 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.

Although the progress made in the recovery after the Lahaina and Upcountry fires is impressive, I experienced in my recent visit how deep Maui’s businesses and economy were set back by the fires while still trying to recover from the extended COVID shutdowns. It would be further devastating to the Maui residents and economy to have another deep setback by eliminating critical visitor attractions and revenue. Those people employed in these activities would likely lose their jobs and income for their families.

Please PASS SB1074 and support local families and businesses.

Mahalo for considering this testimony.

Sincerely,

Dan Shydler

**SB-1074**

Submitted on: 2/10/2025 3:03:13 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Jim Walsh	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

My name is Jim Walsh and I strongly **support SB1074**.

SB1074 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 Hawai'i's natural resources and supporting long-standing, regulated operations.

Forcing lawfully permitted operators to shut down while environmental studies are done will surely lead to local businesses going out of business. Our community on the west side has already lost so much, please lets not lose any more businesses.

Please pass SB1074 and support our local families and businesses.

Mahalo for considering this testimony.

Kind regards  
Jim Walsh

**SB-1074**

Submitted on: 2/10/2025 3:20:22 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Milana Lock	Individual	Support	Written Testimony Only

Comments:

February 10, 2025

Honorable Legislators,

I trust everyone is healthy and enjoyed the recent Lunar New Year. I certainly did.

i am submitting testimony supporting SB 1074.

My opinion is that Honorable Judge Peter Cahill has made a decision that is harmful and not beneficial to the overall well-being of Maui, its residents, visitors, businesses, and harms the county's recovery from both Covid-19 and 2024 wildfire losses. As you know, Judge Cahill decided "not to issue or renew commercial use permits for state waters in Ka-anapali until it can complete environmental assessments (EA) for their use or determine such permits are exempt from environmental review under Hawai'i law" (source: Maui Now, Dec 6, 2024)

I'm certain you're aware of the lengthy time that's required to conduct an EA: approximately 1-2 years including review and, typically, a comment period. As such processes continue, tour and excursion companies would falter, close, fail, thus ending a long tradition of highly desirable activities and incentives for coming to West Maui.

I'm a steady 20-year visitor to Maui. I visit family, friends, eat fabulous cuisine, have reunions with long time friends, support local retail, and stay at both Outrigger and Marriott properties. Plus, I am, as are my friends and family, drawn to West side for an unmatched, rich variety of activities and experiences offered by superior ocean activities operators. I have enjoyed: scuba diving, parasailing, snorkeling, dinner cruises, sunset cruises, catamaran paddling, whale watching, turtle viewing, underwater reef exploration.

An injunction, as proposed, would have an impact that's close to irreparable. It would further damage Maui's attempts for economic come-back that is still chugging at a snail's pace. All businesses and families are struggling to re-set roots, rebuild. And, as recently as the last month, hotel occupancy remains at less than half, when they should be full. Now is peak season!

I watched broadcasts of The Sentry PGA tournament at Kapalua and saw unusually small numbers of spectators. The national commentators highlighted that concern: (paraphrased) "it was almost as if Maui has become an afterthought, almost forgotten about."



*Final words: One truth about organized ocean activities: they bring visitors. And, tour boats guarantee an investment in a species. They amplify species protection in a tangible way: tour and tax revenue contribute to that protection.*

Mahalo nui loa, thank yo kindly for your attention. Milana Lock

**SB-1074**

Submitted on: 2/10/2025 5:41:38 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Keahi Ho	Individual	Support	Written Testimony Only

## Comments:

As a Lahaina firefighter, sailor and commercial operator who cares deeply for the ocean and its preservation, I support this bill. Environmental asesements are important, however to shut down, long-standing, compliant businesses is completely unfair. The West Maui boating community was wiped out by the fire. To further penalize and shut down businesses that are able to operate out of Ka'anapali is unfair and a detriment to our local and visting community who enjoy ocean excursions.

**SB-1074**

Submitted on: 2/10/2025 5:42:32 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Ali Grimes	Individual	Support	Written Testimony Only

## Comments:

As a Lahaina firefighting family, sailors and commercial operators who cares deeply for the ocean and its preservation, we support this bill. Environmental asesements are important, however to shut down, long-standing, compliant businesses is completely unfair. The West Maui boating community was wiped out by the fire. To further penalize and shut down businesses that are able to operate out of Ka'anapali is unfair and a detriment to our local and visting community who enjoy ocean excursions.

**SB-1074**

Submitted on: 2/10/2025 7:43:17 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Lei Fisher	Individual	Oppose	Written Testimony Only

Comments:

Aloha mai honorable Committee Members,

I am a lifelong Hawai'i resident & Native Hawaiian from a long line of lawai'a (fishers) on both my mother's & husband's 'ohana sides. I strongly oppose this measure as an attempt to sidestep an important supreme court decision without proper vetting, environmental review, and stakeholder input as to the broad ramifications. Please HOLD this measure.

Mahalo nui loa.

Lei Fisher

**SB-1074**

Submitted on: 2/10/2025 7:52:07 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Sharde Freitas	Individual	Oppose	Written Testimony Only

## Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

My name is Sharde Freitas and I **strongly oppose SB1074**, 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 SB1074**.

Sincerely,

Sharde Freitas

**SB-1074**

Submitted on: 2/10/2025 8:20:50 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
William Reese Liggett	Individual	Oppose	Written Testimony Only

## Comments:

Aloha Chairs Inouye and  
Gabbard, Vice Chairs  
Elefante and Richards,  
and members of the  
Water and Land and  
Agriculture and  
Environment  
Committees,

My name is William  
Reese Liggett and I  
**strongly oppose**  
**SB1074**, 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**  
**SB1074.**

Sincerely,  
Reese Liggett 96816



**SB-1074**

Submitted on: 2/10/2025 8:28:20 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Ella Aki	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill!

**SB-1074**

Submitted on: 2/10/2025 8:36:54 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Patricia Blair	Individual	Oppose	Written Testimony Only

Comments:

Hold! Uphold Hawaii's critical environmental review process.

**SB-1074**

Submitted on: 2/10/2025 9:12:26 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Mary True	Individual	Oppose	Written Testimony Only

## Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

My name is Mary True and I **strongly oppose SB1074**, 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 SB1074**.

Aloha and mahalo, Mary True, Pepeokeo

**SB-1074**

Submitted on: 2/10/2025 9:52:05 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
ANDREW ISODA	Individual	Oppose	Written Testimony Only

## Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

My name is Andrew Isoda and I **strongly oppose SB1074**, 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 SB1074**.

Sincerely,  
Andrew Isoda  
Lahaina, Mau'i

**SB-1074**

Submitted on: 2/10/2025 10:27:42 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Cullen Hayashida	Individual	Oppose	Written Testimony Only

## Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

My name is Cullen Hayashida of the Moanalua Gardens Community and I **strongly oppose SB1074**, 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 SB1074**.

Sincerely

Cullen T. Hayashida. PhD

**SB-1074**

Submitted on: 2/10/2025 10:42:30 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Aiko Yamashiro	Individual	Oppose	Written Testimony Only

## Comments:

Aloha. I OPPOSE SB1074 that would loosen our environmental review requirements, including public oversight and input. This issue reminds me of the saying "measure once, cut twice." Though environmental review takes time and resources, it takes way more time and resource to remediate an problem after a major project is underway or during a major project. We are growing and evolving as a community, as we learn more about environmental impacts on the science side, and as we return to important island values of aloha 'āina on the cultural side. As we evolve, so too should our environmental review processes strengthen and deepen. A "longstanding commercial operation" should remain subject to our environmental review as regulations that made sense a few years or decades ago may need to be revised based on better information or. our changing environment. Recent crises like the Red Hill water contamination have taught us that there are certain lines we cannot cross, and the health of our environment is the absolute most important thing for the health and safety of our society. That is also an example of an ongoing project that passed muster at one point in history but made no sense to continue today.

One last point--I grew up in Kāne'ōhe on O'ahu in the 90s, third generation local Okinawan on my dad's side. Kāne'ōhe Bay, used to be so abundant in fish, is now mostly barren or dirty water. Cannot fish, cannot swim. If you want to go beach, you have to. drive miles to Kailua (also polluted) or Ka'a'awa. I wish past generations and decisionmakers had made more cautious and protective decisions about the environment in their time, so I could have grown up knowing what it meant to have a relationship with my own bay and place I live—fishing, swimming, enjoying, and taking care. I am very grateful for nonprofits like Paepae o He'eia who are bringing back the health and abundance of certain fishery areas through the strategies of smart and rigorous environmental regulation and stewardship borne out of deep relationship to the place. That is a success story we should model after!

**SB-1074**

Submitted on: 2/11/2025 12:59:55 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Sherry Pollack	Individual	Oppose	Written Testimony Only

Comments:

I **strongly oppose SB1074**, 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.

I urge you to **HOLD SB1074**.

**SB-1074**

Submitted on: 2/11/2025 4:57:53 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

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

Comments:

I STRONGLY OPPOSE this bill; please HOLD it.



**SB-1074**

Submitted on: 2/11/2025 5:13:41 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

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

Comments:

I STRONGLY OPPOSE this bill.

**SB-1074**

Submitted on: 2/11/2025 5:17:29 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Jodi Rodar	Individual	Oppose	Written Testimony Only

## Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

My name is Jodi Rodar and I **strongly oppose SB1074**, 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 SB1074**.

Sincerely,

Dr. Jodi Rodar

**SB-1074**

Submitted on: 2/11/2025 6:55:57 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Lauren Ballesteros-Watanabe	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

My name is Lauren Ballesteros-Watanabe and I **strongly oppose SB1074**, 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 SB1074**.

Sincerely,

Lauren Ballesteros-Watanabe

**SB-1074**

Submitted on: 2/11/2025 6:59:24 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Breanne Fong	Individual	Oppose	Written Testimony Only

## Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

My name is Breanne Fong, and I **strongly oppose SB1074**, 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 SB1074**.

Sincerely,  
Breanne Fong

**SB-1074**

Submitted on: 2/11/2025 7:19:23 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Diane Ware	Individual	Oppose	Written Testimony Only

## Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

My name is Diane Ware and I **strongly oppose SB1074**, 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 SB1074**.

Sincerely,  
Diane Ware 96785

**SB-1074**

Submitted on: 2/11/2025 7:31:59 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Deja	Individual	Oppose	Written Testimony Only

## Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

My name is Deja Ostrowski and I **strongly oppose SB1074**, 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.

Now is not the time to get rid of hard fought legal processes that allow public involvement and restore trust in government actions.

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 SB1074**.

**SB-1074**

Submitted on: 2/11/2025 7:34:27 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Laura Leonberger	Individual	Oppose	Written Testimony Only

## Comments:

My name is Laura Leonberger and I **strongly oppose SB1074**, 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. Environmental assessments can take an inordinate amount of time and can cause irreparable damage to the environment if the activity is not halted during this time.

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. Just because a prior project was approved without an environmental impact study does not mean that there is no long term effect from the project that negatively impacts the environment.

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 SB1074**.

Sincerely,  
Laura Leonberger

**SB-1074**

Submitted on: 2/11/2025 8:02:13 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Charles KH Young	Individual	Oppose	Written Testimony Only

Comments:

Aloha: My name is Charles Young. I reside in Kealia South Kona, Hawai'i Island. I oppose SB1074.

Mahalo for allowing me this opportunity to submit testimony opposing SB1074.

Charles Young



**SB-1074**

Submitted on: 2/11/2025 8:43:53 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Nanea Lo	Individual	Oppose	Written Testimony Only

## Comments:

Hello Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

My name is [Your name] and I **strongly oppose SB1074**, 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 SB1074**.

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

**SB-1074**

Submitted on: 2/11/2025 9:24:21 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Pete Doktor	Individual	Oppose	Written Testimony Only

## Comments:

Aloha `āina e Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

I am a Moanalua homeowner, Pete Doktor, and I **strongly oppose SB1074**, 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. While I am submitting comment as individual, I can assure you my neighbors, including our AOAU (Homeowner association) are all concerned for the need to protect our true security and wealth: wai!.

The failure of certain departments to comply with 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 SB1074**.

Respectfully,  
[Your name]

**SB-1074**

Submitted on: 2/11/2025 10:11:46 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Madison Owens	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

My name is Madison Owens and I **strongly oppose SB1074**, 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 SB1074**.

Sincerely,  
Madison Owens

**SB-1074**

Submitted on: 2/11/2025 11:46:17 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Glenn Choy	Individual	Oppose	Written Testimony Only

Comments:

i strongly oppose this bill. Thank you

**SB-1074**

Submitted on: 2/11/2025 12:45:54 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Lory Ono	Individual	Oppose	Written Testimony Only

## Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

My name is Lory Ono, and I **strongly oppose SB1074**, 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 SB1074**.

Sincerely,

Lory Ono

**SB-1074**

Submitted on: 2/11/2025 1:04:29 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Barbara Best	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

Allowing big exemptions for unlawful practices of the Dept of Land & Naural Resources doesn't serve the public. This is irresponsible, unjust and harmful to the ecology, culture and society. We should not allow skirting environmental review law. Pleas Hold SB1074.

Msahalo, Bobbie and Bill Best, Wailuku

**LATE**

Aloha Chair Inouye, Vice Chair Elefante, and members of the committee on Water and Land,

I strongly oppose SB1074 as it would carve out a broad exemption from our environmental review law for fisheries management actions - such as authorizing the unlimited take of marine life for the aquarium trade - and allow other unlawfully approved actions (like stream diversions) to proceed for years or decades while environmental review challenges are resolved and environmental impact statements are completed.

This bill as well as bills SB22, HB661, HB123, and HB658 are attempting to undo the check and balance that the State must comply with. The Division of Land and Natural Resources will be off the hook from conducting its responsibility – to manage our public trust resources by bypassing HEPA compliance.

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.

Please hold SB1074.

Mahalo,

U'ilani Naipo



**LATE**

**SB-1074**

Submitted on: 2/11/2025 3:25:32 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Amy Dewbre	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am Amy Dewbre and I strongly support SB1074. SB1074 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 jobs 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 SB1074 and support our local families and businesses.

Mahalo for considering this testimony.

Sincerely,

Amy Dewbre



I signed the petition.

**LATE**

**SB-1074**

Submitted on: 2/11/2025 3:35:23 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Chase C Spears	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am Chase Spears and I strongly support SB1074.

SB1074 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 SB1074 and support our local families and businesses.

Mahalo for considering this testimony.

Sincerely,

Chase Spears

**SB-1074**

Submitted on: 2/11/2025 3:45:08 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

**LATE**

Submitted By	Organization	Testifier Position	Testify
Andrew Grandinetti	Individual	Oppose	Written Testimony Only

## Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

My name is Andrew Grandinetti, and I **strongly oppose SB1074**, 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 SB1074**.

Sincerely,  
Andrew Grandinetti

**SB-1074**

Submitted on: 2/11/2025 3:46:12 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

**LATE**

Submitted By	Organization	Testifier Position	Testify
Patrick Laughlin	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

My name is Patrick Laughlin. I am a Captain for Teralani Sailing, a long-time Lahaina resident displaced by the 2023 fire and I strongly support SB1074 for the future of West Maui.

SB1074 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 also gives those of us who were impacted by the fire hope for rebuilding a normal life in this beautiful place.

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 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 and our futures.

Please pass SB1074 and support our local families and businesses.

Mahalo nui loa for considering this testimony.

Regards,

Patrick Laughlin

**LATE**

**SB-1074**

Submitted on: 2/11/2025 3:54:15 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Andrea Nichols	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I support SB1074.

Please pass SB1074 and support Maui's families and businesses.  
Mahalo for considering this testimony.

Sincerely,

Andrea Nichols

**SB-1074**

Submitted on: 2/11/2025 3:59:26 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

**LATE**

Submitted By	Organization	Testifier Position	Testify
adrien mata	Individual	Support	Written Testimony Only

## Comments:

Aloha Chair and Members of the Committee,  
I am adrien mata and I strongly support SB1074.

SB1074 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 consider letting us operate while the review happens. Not only will it effect ships, boats, rafts but catering, hotels, fisherman and many more who depend on these jobs and business and the community it effects

**SB-1074**

Submitted on: 2/11/2025 4:01:40 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

**LATE**

Submitted By	Organization	Testifier Position	Testify
Kari Scamara	Individual	Support	Written Testimony Only

## Comments:

Aloha Chair and Members of the Committee,  
I am Kari Scamara and I strongly support SB1074.

SB1074 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 SB1074 and support our local families and businesses.

Mahalo for considering this testimony.

Sincerely,

Kari Scamara



**LATE**

**SB-1074**

Submitted on: 2/11/2025 4:09:43 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Amanda Kuhns	Individual	Support	Written Testimony Only

Comments:

Aloha

Halting business operations abruptly would place undue hardship on working families. Although the environment must be absolutely be a priority this sudden shift should be given consideration in light of who will be most immediately negatively impacted. Allowing those to continue work while a plan is put in place is a more equitable position.

**SB-1074**

Submitted on: 2/11/2025 4:25:53 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

**LATE**

Submitted By	Organization	Testifier Position	Testify
Richard E Nichols iii	Individual	Support	Written Testimony Only

Comments:

**Aloha Chair and Members of the Committee,**

I support SB1074.

Please pass SB1074 and support Maui's families and businesses.  
Mahalo for considering this testimony.

Sincerely,  
Richard E Nichols III

**LATE**

**SB-1074**

Submitted on: 2/11/2025 4:32:57 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Colby Snyder	Individual	Support	Written Testimony Only

Comments:

Please do not put our charter company businesses out of business. These people work hard and provide a good service for the islands.

**LATE**

**SB-1074**

Submitted on: 2/11/2025 4:55:51 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Julia Witte	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee, I am Julia Witte and I strongly support SB1074. SB1074 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 SB1074 and support our local families and businesses. Mahalo for considering this testimony.

Sincerely,

Julia Witte

**LATE**

**SB-1074**

Submitted on: 2/11/2025 4:58:15 PM

Testimony for WTL on 2/12/2025 1:05:00 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.

**LATE**

**SB-1074**

Submitted on: 2/11/2025 5:08:33 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Annalise Johnson	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee, my name is Annalise Johnson and I strongly support SB1074. SB1074 allows previously permitted activities to continue operating while undergoing environmental review if permits are challenged.

As a resident of Maui I believe that this environmental assessment is ESSENTIAL for maintaining accountability within the boating community and protecting our already exploited coastlines. However I wholeheartedly believe that allowing businesses to operate keeping hundreds of people employed while the assessment is taking place is the best course of action and will also provide the most accurate information and data.

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 don't return. 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 SB1074 and support our local families and businesses. Mahalo for considering this testimony. Sincerely, Annalise Johnson

**LATE**

**SB-1074**

Submitted on: 2/11/2025 5:40:08 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Sarah Moretti	Individual	Support	Written Testimony Only

Comments:

**Subject:** Testimony in Strong Support of SB1074 – RELATING TO ENVIRONMENTAL IMPACT STATEMENTS

**Aloha Chair and Members of the Committee,**

I am Sarah Moretti and I strongly **support** SB1074

SB1074 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 SB1074 and support our local families and businesses.

Mahalo for considering this testimony.

Sincerely,  
Sarah Moretti

**LATE**

**SB-1074**

Submitted on: 2/11/2025 5:49:16 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Logan Pifer	Individual	Support	Written Testimony Only

Comments:

This is good



**SB-1074**

Submitted on: 2/11/2025 5:52:22 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

**LATE**

Submitted By	Organization	Testifier Position	Testify
Truman Taylor	Individual	Support	Written Testimony Only

Comments:

Aloha,

I strongly support this bill. West Maui doesn't need another punch in the gut. Please help us heel.

Mahalo

Truman Taylor

**SB-1074**

Submitted on: 2/11/2025 6:22:51 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

**LATE**

Submitted By	Organization	Testifier Position	Testify
Christopher Murphy	Individual	Support	Written Testimony Only

## Comments:

My name is Christopher Murphy. I worked for Teralani sailing for two years before being displaced by the Lahaina Fires. In my time as first mate of the Teralani 5, we loaded and unloaded passengers on ka'anapali beach in west Maui. We always operated in a safe and professional manner. The environmental impact of beach loading will be found to have a minimal impact and should be allowed to continue while proper surveys are performed. Crew and ownership of the west Maui charter boats have incredible respect for the safety and preservation of ka'anapali beach.

**SB-1074**

Submitted on: 2/11/2025 6:55:14 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

**LATE**

Submitted By	Organization	Testifier Position	Testify
Freddy Camacho	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am Freddy Camacho and I strongly support SB1074.

SB1074 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 SB1074 and support our local families and businesses.

Mahalo for considering this testimony.

Sincerely,

Freddy Camacho

**SB-1074**

Submitted on: 2/11/2025 7:27:20 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

**LATE**

Submitted By	Organization	Testifier Position	Testify
Anna Leahey	Individual	Support	Written Testimony Only

## Comments:

Aloha Chair and Members of the Committee, I am Anna Leahey and I strongly support SB1074. SB1074 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 SB1074 and support our local families and businesses. Mahalo for considering this testimony.

Sincerely, Anna Leahey

**SB-1074**

Submitted on: 2/11/2025 7:32:50 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

**LATE**

Submitted By	Organization	Testifier Position	Testify
Mario Monroy	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am Mario Monroy and I strongly support SB1074.

SB1074 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 SB1074 and support our local families and businesses.

Mahalo for considering this testimony.

Sincerely,

Mario Monroy

**SB-1074**

Submitted on: 2/11/2025 7:40:30 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

**LATE**

Submitted By	Organization	Testifier Position	Testify
Kelden Yagin	Individual	Support	Written Testimony Only

Comments:

I support SB1074 relating to environmental impact statements.

**SB-1074**

Submitted on: 2/11/2025 9:50:00 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

**LATE**

Submitted By	Organization	Testifier Position	Testify
Adele Balderston	Individual	Oppose	Written Testimony Only

## Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

My name is Adele Balderston, and I strongly oppose SB1074, which would allow previously unauthorized activities to continue indefinitely without undergoing the environmental review required by law. This bill undermines Hawai‘i’s public trust doctrine, contradicts the purpose of HRS Chapter 343, and weakens the constitutional duty of the State to protect natural resources for present and future generations.

Hawai‘i’s environmental review process exists to ensure that government agencies and private actors assess potential impacts before harm occurs, not after the fact. Recent court decisions have reaffirmed that the definition of an “action” under HRS Chapter 343 includes certain ongoing activities that were never properly evaluated for their environmental effects. SB1074 attempts to circumvent these rulings by allowing activities to continue—even if they were never lawfully reviewed—while agencies belatedly determine whether environmental assessment is necessary. This effectively turns environmental review into a retroactive formality rather than a meaningful safeguard.

By permitting illegally authorized activities to persist unchecked, this bill incentivizes noncompliance and weakens enforcement of Hawai‘i’s environmental laws. Instead of ensuring responsible stewardship, SB1074 rewards regulatory failures and allows agencies to delay accountability indefinitely. The public trust doctrine, as enshrined in Article XI, Section 1 of the Hawai‘i Constitution, charges the State with an affirmative duty to protect and conserve natural resources for the benefit of the people. Allowing activities to proceed while review is pending directly contradicts this duty, putting private interests above the health of Hawai‘i’s lands and waters.

Hawai‘i has already seen the consequences of inadequate oversight, from decades of stream diversions in East Maui to the unregulated depletion of marine life for commercial trade. SB1074 would entrench these failures, ensuring that agencies never have to confront the full impacts of their decisions. Worse, by overriding judicial determinations about what qualifies as an “action” under environmental law, this bill weakens the role of the courts in enforcing public protections.

This measure is not only bad policy but also unconstitutional. It places the burden of proof on communities to challenge harmful activities rather than requiring agencies to fulfill their legal

duty to evaluate impacts before granting permits. Environmental review should not be an afterthought. I urge this committee to HOLD SB1074.

Mahalo for your time and consideration.

Sincerely,  
Adele Balderston  
*Pu'unui, O'ahu*



**SB-1074**

Submitted on: 2/11/2025 10:22:01 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

**LATE**

Submitted By	Organization	Testifier Position	Testify
Nick Foti	Individual	Support	Written Testimony Only

Comments:

I support SB1074

Prior operating industries SHOULD NOT be shut down suddenly while going through a review board. Remaining open is crucial to sustaining operator and employee families and provide the necessary funding to adhere to the review process requirements. The review process costs tens to hundreds of thousands of dollars and can take multiple years to complete a full review. No industry can handle that sort of set back. Please support and protect jobs, family, and livelihoods in Hawai'i.

**LATE**

**SB-1074**

Submitted on: 2/11/2025 10:38:22 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Cory Reutzel	Individual	Support	Written Testimony Only

Comments:

I support these operations who continue to operate within compliance and the best interest of the overall community. These commercial boats continue to bring millions of dollars into the local economy with catering, employment, and support for locals even during the fires.

**LATE**

**SB-1074**

Submitted on: 2/11/2025 10:41:27 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Rufus Kimura	Individual	Support	Written Testimony Only

Comments:

I support SB 1074.

**LATE**

**SB-1074**

Submitted on: 2/11/2025 10:56:43 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Patrice Choy	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB1074. It is insane these types of bills even get written and they are a waste of taxpayer money.

**SB-1074**

Submitted on: 2/12/2025 5:40:01 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

**LATE**

Submitted By	Organization	Testifier Position	Testify
James Rhein	Individual	Support	Written Testimony Only

Comments:

This will hurt so many in the work force. So many have lost so much already.

**SB-1074**

Submitted on: 2/12/2025 7:07:33 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

**LATE**

Submitted By	Organization	Testifier Position	Testify
Lindsay Hallett	Individual	Comments	Written Testimony Only

## Comments:

Please allow the boats in Ka'anapali to continue to allow many people to have jobs and many locals and visitors alike to have wonderful experiences. As a resident of Maui, I want the land and sea to be protected, but I also hate to see the West Side suffer any more loss to both jobs and tourism than it already has. It would be a terrible shame to not let these companies continue to operate. The amount of mishaps is minuscule in comparison to all the successful journeys. They should be allowed to operate during any evaluation and beyond that.

Please take into consideration how much loss there has been. Don't cause any more.

Thank you for your consideration,

Lindsay

**SB-1074**

Submitted on: 2/12/2025 8:23:10 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

**LATE**

Submitted By	Organization	Testifier Position	Testify
Richard Rodriguez	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am Richard Rodriguez and I strongly support SB1074.

Please pass SB1074 and support Maui's local families and businesses.

Sincerely,

Richard Rodriguez

**SB-1074**

Submitted on: 2/12/2025 8:40:55 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

**LATE**

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

## Comments:

Aloha Chair and Members of the Committee, I am Ian Ponting and I strongly support SB1074.

SB1074 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 been forced to pause their operation due to environmental assessment do not 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 SB1074 and support our local families and businesses.

Mahalo for considering this testimony.

Sincerely,

Ian Ponting



**SB-1074**

Submitted on: 2/12/2025 9:37:45 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Kylie Hopkins	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inuoye and Gabbard, Vice-Chairs Elefante and Richards, and members of the Water & Land and Agriculture & Environment Committees,

My name is Kylie Hopkins and I strongly oppose SB1074, which would allow a wide range of illegally authorized activities to continue, potentially indefinitely, without required consideration of the environmental, cultural, and social impact to our island and present and future generations.

The environmental review law allows decisionmakers and the public to make for informed decisions that can balance and mitigate potential long-term impacts to the public before those activities and impacts are allowed to proceed. This ensures planning while reducing conflict, minimizing adverse outcomes, and protecting 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 irreversible 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 this bill would turn our environmental review process into an afterthought, allowing 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 strongly urge you to HOLD SB1074!!!

Sincerely,

Kylie Hopkins