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GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



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

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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
RYAN K.P. KANAKA'OLE
Acting Chairperson

Before the Senate Committee on
WAYS AND MEANS

Wednesday, April 1, 2026
10:03 AM
State Capitol, Conference Room 211

In consideration of
HOUSE BILL 2599, HOUSE DRAFT 1, SENATE DRAFT 1
RELATING TO AQUATIC PROTECTION



House Bill 2599, House Draft 1, Senate Draft 1 proposes to require the Division of Aquatic Resources (DAR) of the Department of Land and Natural Resources (Department) to: manage the aquatic life and aquatic resources of the State, giving the highest priority to protecting, restoring, and maintaining ecosystem integrity and use the best scientific data available; maintain reefs and each native species within them at levels no less than the best peer-reviewed science suggests is able to comfortably withstand the worst coral bleaching events and other likely threats to reef ecosystem health in the subsequent five decades; and set goals, make plans, and take action to substantially increase coral-reef resilience with annual reports to the Legislature. **The Department appreciates the intent of this bill and offers the following comments.**

Coral reef ecosystems statewide, and particularly on O'ahu, have experienced significant degradation due to long-term, cumulative impacts from multiple sources, including coastal development, watershed degradation, recreational and commercial overuse, invasive species, fishing pressure, and warming ocean temperatures. While halting or reversing this decline can seem daunting—especially given global climate stressors—coral reef ecosystems are inherently resilient, and evidence shows they can recover when adverse impacts are reduced. In most cases, however, there is no single solution. Threats to ecosystem health vary by location, and identifying the most effective management actions requires a careful understanding of local ecosystem drivers and dynamics. To support this,

managers must rely on the best available science, integrating both western scientific approaches and local ecological knowledge.

DAR understands the importance of ecosystem-based management, as well as the importance of involving local resource users, and has developed a wholistic nearshore management strategy called the Holomua Marine Initiative (Holomua). Holomua, which in the Hawaiʻian language means “to progress and move forward into the future,” brings local fishers, cultural practitioners, and community representatives together with scientists and resource managers to collaboratively develop island-scale management actions aimed at improving the health of nearshore resources. Importantly, these actions extend beyond fishing regulations to address other key drivers of ecosystem integrity, including water quality and quantity, land-based sources of pollution, commercial and recreational use, and degraded habitats. Addressing these issues requires coordination across multiple agencies and authorities and depends on strong partnerships to achieve shared goals for nearshore ecosystem health and coral reef resilience.

Holomua was first launched on Maui in October 2022 as a pilot management planning process. The Maui planning team is currently finalizing its proposed management plan and draft rules for Maui, and DAR will be launching the Holomua process on Hawaiʻi island this summer. The requirement for DAR, by July 1, 2027, to develop and publish goals to increase coral reef resilience for Oahu is ambitious, but it would help expedite the Holomua management planning process when it comes Oʻahu. The requirement for DAR to develop and publish goals to increase coral reef resilience by July 1, 2029, for the other islands is unnecessary at this time, but can be revisited in future Legislative sessions if needed.

The requirement for DAR to “maintain reefs and each native species within them at levels no less than the best peer-reviewed science suggests is able to comfortably withstand the worst coral bleach events and other likely threats to reef ecosystem health in the subsequent five decades” is an unrealistic management goal given the sheer number of native species, the limitations of current monitoring methods, and the fact that some of the main threats to reef ecosystem health, including water quality and changing environmental conditions, are beyond DAR’s jurisdiction for management.

Temporary rulemaking authority could be a useful tool for DAR to implement expedited management actions if deemed appropriate. The Department appreciates the requirement to include recommendations for additional funding, positions, and legislation in each annual report and hopes the Legislature will provide the necessary support for DAR’s Holomua efforts.

Mahalo for the opportunity to comment on this measure.

HB-2599-SD-1

Submitted on: 3/30/2026 3:02:28 PM

Testimony for WAM on 4/1/2026 10:03:00 AM

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

Comments:

The Hawaii Reef and Ocean Coalition **STRONGLY SUPPORTS the SD1**, with highest priority on protecting, restoring, and maintaining ecosystem integrity using the best peer-reviewed scientific data available, etc.!

Please pass this bill!

HB-2599-SD-1

Submitted on: 3/30/2026 3:15:06 PM

Testimony for WAM on 4/1/2026 10:03:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------------------------|---------------------------|------------------------|
| Jenny Yagodich | Testifying for Malama Pupukeya-Waimea | Support | Written Testimony Only |

Comments:

Aloha Chair Dela Cruz, Vice-Chair Moriwaki, and members of the Senate Committee on Ways and Means,

We are in strong support of HB2599 SD1, which recognizes the urgent need to protect and restore Hawai‘i’s coral reef ecosystems. Our reefs are foundational to food security, coastal protection, cultural practice, and the overall health of our communities. With increasing pressures from climate change, land-based pollution, and overuse, decisive and thoughtful management is necessary now.

We particularly appreciate the bill’s recognition that reef degradation is cumulative and that proactive, place-based management is required to rebuild resilience.

That said, we respectfully offer the following recommendations to strengthen the measure:

Section 2 #5 allows the department to distribute aquatic life for food purposes and, at its discretion, to private parties under reasonable terms. While the language focuses on public food supply, we recommend clarifying that ornamental or aquarium collection is not considered part of this provision, to ensure the section cannot be interpreted to authorize extractive trade for non-food purposes.

Section 2 #6, addresses management and knowledge frameworks and we strongly recommend that this section explicitly require the integration of kilo (traditional Hawaiian observation and monitoring practices) and ‘ike kūpuna alongside the best available peer-reviewed science. Effective reef stewardship in Hawai‘i must be grounded in both Indigenous knowledge systems and contemporary science. Kilo provides long-term, place-based understanding of seasonal patterns, species behavior, and ecosystem shifts that are essential for adaptive management. Formalizing this integration will lead to more holistic, culturally appropriate, and effective outcomes.

Overall, HB2599 SD1 is an important step toward restoring the health of our nearshore ecosystems. With these amendments, the bill can better ensure that protections are meaningful, culturally grounded, and not compromised by unintended allowances.

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

Jenny Yagodich
Director of Educational Programs & Makai Watch Coordinator
Mālama Pūpūkea-Waimea



SIERRA CLUB OF HAWAII

SENATE COMMITTEE ON WAYS AND MEANS

April 1, 2026

10:03 AM

Conference Room 211

In **SUPPORT** of **HB2599 HD1 SD1**: RELATING TO AQUATIC PROTECTION

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee,

On behalf of our more than 20,000 members and supporters, the Sierra Club of Hawai'i **SUPPORTS** HB2599 HD1 SD1, which provides the Department of Land and Natural Resources and its Division of Aquatic Resources (DAR) with much-needed direction in its mission to uphold the public trust in our nearshore resources.

Hawai'i's nearshore ecosystems - particularly around O'ahu - are experiencing rapid declines driven by land-based pollution, climate-driven bleaching, sedimentation, invasive species, and cumulative overuse. These declines have had and will continue to have a significant and growing impact on the vast public interest in our ocean waters. The coral reefs and ecosystems we are witnessing being degraded are essential to our cultural and ecological integrity, food security, climate resilience, and economy, including by supporting subsistence and nearshore fisheries, protecting shorelines from erosion and sea-level rise, maintaining biodiversity and habitat integrity, and sustaining recreation and tourism. Without intervention, many of our impaired reef ecosystems will continue to degrade or collapse in the coming decades, to the significant detriment of present and future generations.

Unfortunately, despite the public trust's mandate that our natural and cultural resources be proactively protected for both present and future generations, and not "passively allow[ed] to fall into ruin,"¹ DAR does not appear to have a consistent and coordinated plan to address the pronounced and ongoing declines in our nearshore resources. For example, despite its stated commitment to supporting marine resource management through community collaboration, DAR has instead dedicated significant amounts of its very limited staff time and resources to develop proposed regulations for the reopening of the aquarium collection industry – an industry and a proposal that has been strongly and continuously opposed by the very communities it is purporting to partner with.

HB2599 HD1 SD1 accordingly provides DAR with a much-needed vision and direction for its future work, by:

1. Prioritizing ecosystem integrity in the management of Hawai'i's aquatic resources;
2. Requiring DAR to use the best available science to guide decisions; and

¹ Ching v. Case, 449 P.3d 1146 (Hawai'i 2019).



3. Establishing clear coral-reef resilience goals for O'ahu as well as the neighbor islands, supported by a framework, a public input process, interagency consultation, interim rulemaking authorities, and annual progress reports to the Legislature.

This mandate aligns with modern ecosystem-based management approaches and provides needed structure for DAR's long-term resilience planning.

Importantly, HB2599 HD1 SD1 does not mandate closures or other specific policy actions. This bill simply clarifies DAR's priorities, encourages improved coordination and public participation, and provides for greater transparency and accountability in its fulfillment of the public trust. While initially focused on O'ahu, where the situation has grown particularly dire, this measure would create replicable strategies that can also benefit our neighbor islands – hopefully, before they experience similar levels of degradation and decline.

Hawai'i must take proactive steps now to preserve our nearshore ecosystem systems for future generations. HB2599 HD1 SD1 supports that goal by ensuring DAR has a clear, science-guided directive and a transparent reporting structure that may benefit the public for decades to come. For these reasons, the Sierra Club of Hawai'i respectfully urges the Committee to **PASS** HB2599 HD1 SD1.

Mahalo for your consideration and for your commitment to Hawai'i's marine resources.

**Testimony of The Nature Conservancy
Commenting on HB2599 HD1 SD1, Relating to Aquatic Protection
Committee on Ways and Means
April 1, 2026 at 10:03 am
Conference Room 211 and via Videoconference**

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee:

Mahalo for the opportunity to testify today. The Nature Conservancy (TNC) Hawai'i and Palmyra supports HB2599 HD1 SD1, which requires the Division of Aquatic Resources (DAR) of the Department of Land and Natural Resources to: manage the aquatic life and aquatic resources of the State, giving the highest priority to protecting, restoring, and maintaining ecosystem integrity and using the best peer-reviewed scientific data available; maintain reefs and each native species within them at levels no less than the best peer-reviewed science suggests is able to comfortably withstand the worst coral bleaching events and other likely threats to reef ecosystem health in the subsequent five decades; and set goals, make plans, and take action to substantially increase coral-reef resilience with annual reports to the Legislature.

TNC's mission is to conserve the lands and waters on which all life depends, and TNC strongly supports policies that preserve and sustain the integrity of ecosystems in Hawai'i. We believe that only by applying the best available Indigenous and Western science, together with traditional ecological knowledge, can we solve the most challenging conservation problems in Hawai'i. For our reefs, this means supporting flexible management that maintains the composition, function, and structure of ecological systems, so they can withstand environmental pressures, adapt to changing conditions, and continue supporting our communities for generations to come. This includes protecting the diversity and abundance of native species, safeguarding ecological interactions, maintaining water and habitat quality, and ensuring that ecosystems remain resilient in a rapidly changing climate. Maintaining ecosystem integrity preserves not only individual species or places, but the essential functions that enable ecosystems to continue providing environmental, cultural, and economic benefits.

HB2599 HD1 SD1 advances a framework-based approach to coral reef management by directing the DAR to ground decision-making in ecosystem integrity, peer-reviewed science, and consideration of the multiple drivers influencing reef condition. By requiring goals, planning, and regular assessment across factors such as water quality, fisheries management, enforcement, coral restoration, and recreational use, the bill emphasizes structured evaluation and adaptive response rather than fixed ecological endpoints. TNC looks forward to continued collaboration with DAR and other partners as Hawai'i advances policies that support healthy, resilient marine ecosystems for current and future generations.

Mahalo for the opportunity to comment on HB2599 HD1 SD1.

Guided by science, TNC is a non-profit organization dedicated to the preservation of the lands and waters upon which all life depends. The Conservancy has helped protect more than 200,000 acres of natural lands in Hawai'i and Palmyra Atoll. We manage 84,000 acres in 13 nature preserves and 18 managed areas and have supported over 50 coastal communities to help protect and restore the nearshore reefs and fisheries of the main Hawaiian Islands.

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HB-2599-SD-1

Submitted on: 3/31/2026 8:03:54 AM

Testimony for WAM on 4/1/2026 10:03:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---|---------------------------|---------------------------|
| Godfrey Akaka | Testifying for The Native Hawaiian Gathering Rights Association | Oppose | Written Testimony Only |

Comments:

We oppose this bill. Once again giving government too much power and control over the people and our resources.

HAWAI'I OCEAN LEGISLATIVE TASK FORCE



April 1, 2026

Hawai'i State Legislature
Senate Committee on Ways and Means

Re: Testimony in **STRONG SUPPORT** for HB 2599 HD1 SD1, Relating to Aquatic Protection

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and esteemed members of the committee,

The Ocean Legislative Task Force—a coalition of more than 150 individuals across over 20 organizations statewide—**strongly supports** HB 2599 HD1 SD1, relating to aquatic protection. This measure requires the Division of Aquatic Resources within the Department of Land and Natural Resources to prioritize ecosystem integrity in managing Hawai'i's aquatic resources, use the best available science, and establish coral-reef resilience goals for O'ahu with a framework and annual reports to the Legislature.

Healthy coral reefs and nearshore ecosystems are vital to Hawai'i's cultural heritage, food security, shoreline protection, and economy. Yet our reefs continue to face unprecedented threats from climate change, pollution, invasive species, and unsustainable use. HB 2599 HD1 SD1 provides a long-overdue statutory directive that elevates the protection, restoration, and maintenance of ecosystem integrity to the highest priority in aquatic resource management.

By centering the use of the best available scientific data and requiring measurable coral-reef resilience goals and a clear implementation framework, this measure will improve transparency, accountability, and effectiveness in state aquatic management. Annual reporting to the Legislature will ensure ongoing evaluation of progress and adaptive decision-making grounded in the latest science.

For resident and visitor ocean users alike, healthy reefs are not optional—they are essential. HB 2599 HD1 SD1 strengthens the State's ability to steward these irreplaceable ecosystems, protect reef-dependent species, and safeguard the ecological services that sustain island communities.

Mahalo for the opportunity to testify in strong support of HB 2599 HD1 SD1.

The Hawai'i Ocean Legislative Task Force advocates for measures that advance cesspool conversion and wastewater management, protect Hawai'i's coral reefs and reef fish, ensure transparent and sustainable implementation of the Green Fee program and long-term environmental staffing, and support other measures that strengthen Hawai'i's coastal and marine ecosystems.



TESTIMONY
IN SUPPORT TO HB 2599 HD1, SD1
RELATING TO AQUATIC PROTECTION

SENATE COMMITTEE on WAYS AND MEANS
Hawai'i State Capitol

LATE

April 1, 2026

10:03 a.m.

CR 211

Aloha Chair Dela Cruz, Vice Chair Morikawa and members of the committee,

Ho'āla Kealakekua Nui, Inc. (HKN) is in **STRONG SUPPORT** for HB 2599 HD1 SD1, which requires the Division of Aquatic Resources (DAR) of the Department of Land and Natural Resources to: manage the aquatic life and aquatic resources of the State, giving the highest priority to protecting, restoring, and maintaining ecosystem integrity and using the best peer-reviewed scientific data available; maintain reefs and each native species within them at levels no less than the best peer-reviewed science suggests is able to comfortably withstand the worst coral bleaching events and other likely threats to reef ecosystem health in the subsequent five decades; and set goals, make plans, and take action to substantially increase coral-reef resilience with annual reports to the Legislature.

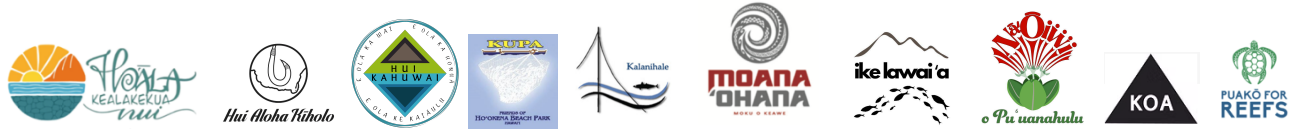
DAR does not have a consistent plan to address the ongoing declines in nearshore resources, and instead of spending efforts to work with community to support marine resource management through community collaborations as they stated, they deploy their limited staff and significant government resources to develop regulations towards the commercial aquarium pet trade industry. This measure provides DAR with the needed vision and direction in applying the DLNR's Hierarchy of Use Policy adopted in 1999, and further allows them to set up a process to address the long overdue application of the 3-prong Ka Pa'akai Analysis.

We appreciate the opportunity to testify and urge this committee to **PASS** HB 2599 HD1, SD1.

Mahalo Nui,

Shane Akoni Palacat-Nelsen
Executive Director | CEO

LATE



Re: Strong Support for HB2599 HD1 SD1, for April 1, 2026

Date: March 31, 2026

Aloha e Chair Dela Cruz and Members of the Committee on Ways and Means (WAM),

Kai Kuleana Network supports HB2599 HD1 SD1 because it empowers local communities, improves resource management, and reinforces long-term sustainability in the face of increasing environmental pressures. The bill's approach reflects a necessary commitment to balancing development with the protection of Hawai'i's natural and cultural resources.

This measure represents an important step toward protecting and restoring Hawai'i's vital coastal and marine resources. By advancing policies that strengthen stewardship, accountability, and community engagement, the bill aligns with the values of mālama 'āina and ensures that future generations can continue to rely on healthy nearshore ecosystems for food security, cultural practice, and economic resilience.

We respectfully urge Chair Dela Cruz and the members of the Committee on Ways and Means to pass HB2599 HD1 SD1.

Mahalo for the opportunity to provide testimony and for your leadership on this critical issue.

With Aloha,

Signed on behalf of Kai Kuleana
by lineal descendants and community representatives,



Mike Nakachi, Moana 'Ohana



Chuckie Leslie, 'Ike Lawai'a



Ku'ulei Keakealani, Hui Aloha Kiholo



Kawika Ruddle, Ruddle 'Ohana



Charlie Young, KUPA Friends of Ho'okena Beach Park



Shane Akoni Nelson, Ho'āla Kealakekua Nui, Inc



MiuLan Pa'alua, Ho'ola



Malia Kipapa, Ka 'Ohana Kipapa



Jeana Kelekolio, Hui 'Ohana o Hōnaunau



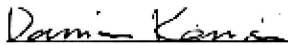
Kaikea Nakachi, Hui Kahuwai



Reggie Lee, Lee 'Ohana of Kohanaiki



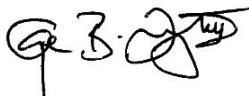
Ka'imi Kaupiko, Kalanihale



Damien Kenison, Kauhakō Ohana Association



Shenell Caldeira, Nā 'Ōiwi o Pu'uanahulu



George Fry, Puakō for Reefs

In Strong Support:

- Pi'i La'cha, La'cha 'Ohana of Kalahuipua'a, Kohala
- Pualani Maielua, Ka 'Ohana Maielua of Kailapa, Kohala
- Jeff Coakley, Hui Mamalahoa of Kohala

HB-2599-SD-1

Submitted on: 3/30/2026 2:57:30 PM

Testimony for WAM on 4/1/2026 10:03:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|----------------------|---------------------|---------------------------|---------------------------|
| Johnnie-Mae L. Perry | Individual | Support | Written Testimony Only |

Comments:

I, Johnnie-Mae L. Perry, Support

2599 HB RELATING TO AQUATIC PROTECTION.

HB-2599-SD-1

Submitted on: 3/30/2026 5:30:56 PM

Testimony for WAM on 4/1/2026 10:03:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------|--------------|--------------------|------------------------|
| William Caron | Individual | Support | Written Testimony Only |

Comments:

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

I am writing in **strong support** of HB2599, a critical measure that would reorient the management priorities of the Division of Aquatic Resources (DAR) and the Department of Land and Natural Resources (DLNR) toward protecting, restoring, and maintaining ecosystem integrity, with a specific focus on substantially increasing coral reef resilience.

Why Is This Important?

Our coral reefs are the rainforests of the sea. They sustain marine life, protect our shorelines from wave erosion, support our local fishing and tourism economies, and hold profound cultural significance for our communities. Yet these vital ecosystems are under unprecedented threat from climate change, ocean acidification, land-based pollution, and physical damage. The time for passive management is over. We need active, science-driven restoration and a clear commitment to ecosystem health.

HB2599 does two essential things.

First, it establishes a clear and binding management priority. The bill requires DAR and the DLNR to manage aquatic life and aquatic resources giving the **highest priority to protecting, restoring, and maintaining ecosystem integrity** and to use the **best scientific data available** in doing so. This may seem like common sense, but it represents a fundamental shift.

Too often, management decisions have been reactive, piecemeal, or balanced against extractive interests without a clear statutory mandate to prioritize the health of the ecosystem itself. This bill provides that mandate. It says that when decisions are made about our aquatic resources, the primary question must be: what is best for the long-term health and resilience of the ecosystem?

Second, it sets specific, actionable goals. The bill requires DAR to set goals to substantially increase coral reef resilience around O‘ahu by 2027, and the rest of the state by 2029, and to develop a framework to meet those goals, with annual reports to the Legislature.

This is not an abstract aspiration; it is a concrete directive. It recognizes that O‘ahu's reefs—facing intense pressure from urbanization, recreational use, and runoff—require targeted, measurable action. And by requiring annual reporting, the bill ensures transparency and

accountability. The Legislature and the public will be able to track progress, or the lack thereof, and hold DAR accountable for results.

The Science Supports This Approach

Recent research underscores both the urgency and the feasibility of active reef restoration. Studies on Hawaiian reefs have documented challenges such as juvenile corals settling on unstable rubble, which inhibits their survival. Destabilized substrate, often caused by storms or physical damage, can prevent reef recovery even when coral larvae are present. This highlights the need for active interventions—substrate stabilization, herbivore protection, and other science-based restoration techniques—to complement natural recovery processes.

HB2599 positions the DLNR to lead in this work. By requiring the use of the best scientific data available, the bill ensures that management decisions and restoration goals are grounded in evidence, not guesswork. And by focusing on ecosystem integrity, it moves beyond a narrow species-by-species approach to a holistic vision of reef health.

Herbivores Matter

While the bill's text as summarized focuses broadly on ecosystem integrity and coral resilience, we know from years of scientific study that herbivorous fishes—like parrotfish and surgeonfish—play a critical role in reef health. They graze on algae that would otherwise overgrow and smother corals. Protecting and restoring herbivore populations is one of the most effective strategies for building coral reef resilience. HB2599's ecosystem integrity mandate should be interpreted to include robust protection for these vital species.

Accountability and Transparency

The annual reporting requirement is a key feature of this bill. It ensures that the goals set by the DLNR are not just filed away and forgotten. Each year, the Legislature and the public will receive an update: What goals were set? What progress has been made? What obstacles have arisen? What adjustments are needed? This creates a continuous feedback loop of planning, action, evaluation, and improvement.

A Commitment to Future Generations

Our keiki and their keiki deserve to inherit healthy, thriving reefs. They deserve to know the wonder of swimming above a living coral garden, not a graveyard of rubble. HB2599 is a commitment to them. It says that we will not stand by while our reefs decline; we will act, we will prioritize, and we will measure our progress.

I urge this committee to pass HB2599 and give DAR and the DLNR the clear mandate and direction it needs to protect, restore, and maintain the health of our coral reefs for generations to come.

Mahalo for the opportunity to testify.

HB-2599-SD-1

Submitted on: 3/30/2026 5:40:40 PM

Testimony for WAM on 4/1/2026 10:03:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Douglas Perrine | Individual | Support | Written Testimony Only |

Comments:

I strongly support HB2599 as it mandates a priority of conservation of our kuleana resources for the future as opposed to consumption of resources for present-day gain, to the detriment of our keiki and our aina.

**TESTIMONY IN SUPPORT OF HB2599 HD1 SD1
COMMITTEE ON WAYS AND MEANS (WAM)
Wednesday, April 1, 2026, 10:03 AM
Conference Room 211 & Videoconference**

Aloha Chair, Vice Chair, and Members,

My name is Frederick Smith, and I live in the Kealakekua ahupua'a on Hawai'i Island. I am a graduate student at UH Hilo focused on marine policy, science, and governance.

I am writing in **strong support of HB2599 HD1 SD1**.

HB2599 HD1 SD1 appropriately recognizes that effective planning and management must be grounded in the best available peer-reviewed science and that restoring and maintaining ecosystem integrity is essential to the long-term health of Hawai'i's coral reefs.

I support the bill's reliance on the best available peer-reviewed science, which builds on existing knowledge and supports efficient, informed management. This perspective is consistent with input and discussions with seasoned researchers working on coral reef resilience and herbivore biomass in Hawai'i, who emphasize that sufficient peer-reviewed science already exists to support informed management decisions in this area.

Importantly, the bill does not impose new financial burdens, as the Division of Aquatic Resources and NOAA already conduct intensive reef monitoring across the Hawaiian Islands. Donovan et al. (2023), for example, which represents the best available peer-reviewed science on herbivore biomass in the main Hawaiian Islands, draws directly from these datasets, as will future studies that inform planning and subsequent management decisions under this bill.

Thank you for your consideration.

With respect,

Frederick Smith

Captain Cook, Hawai'i Island

Donovan, M. K., Counsell, C. W. W., Donahue, M. J., Lecky, J., Gajdzik, L., Marcoux, S. D., Sparks, R., & Teague, C. (2023). Evidence for managing herbivores for reef resilience. *Proceedings of the Royal Society B: Biological Sciences*, 290(2012), 20232101.
<https://doi.org/10.1098/rspb.2023.2101>

HB-2599-SD-1

Submitted on: 3/31/2026 4:45:19 AM

Testimony for WAM on 4/1/2026 10:03:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Kawika Ruddle | Individual | Support | Written Testimony Only |

Comments:

TO: Senate Committee on Ways and Means

RE: HB2599 HD1 SD1 – Relating to Aquatic Protection

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee,

My name is Kawika Ruddle, and I am in strong support of HB2599 HD1 SD1.

I submit this testimony as a small business operator and lifelong ocean user from Hawai‘i Island. My family has operated along the Kohala Coast for over 40 years, and our livelihood depends directly on the health and resilience of our reef ecosystems.

HB2599 establishes a clear, science-based framework for managing Hawai‘i’s marine resources with a long-term perspective. By requiring the State to prioritize ecosystem integrity and manage reefs and fish populations at levels that can withstand future climate impacts, this measure helps prevent further degradation that would be far more costly to address later. Proactive management is more cost-effective than reactive restoration, particularly as climate impacts intensify.

The bill’s focus on measurable goals, coordinated planning, and annual reporting provides accountability and ensures that management decisions are based on data rather than reactive measures. This approach supports more efficient use of state resources over time by aligning management efforts across agencies and focusing on outcomes.

Healthy reefs are not only an environmental priority—they are a critical economic asset. Ocean recreation, tourism, local businesses, and community-based practices all depend on functioning reef ecosystems. Investing in resilience now helps protect these broader economic systems and reduces long-term costs associated with reef decline, shoreline damage, and loss of natural resources.

HB2599 provides the structure needed to manage these resources responsibly and efficiently into the future.

I respectfully urge the Committee to pass this measure.

Mahalo,
Kawika Ruddle

Aloha Chair Dela Cruz, Vice Char Moriwaki, and Members of the Senate Committee on Ways and Means,

My name is U'ilani Naipo, and I support this measure HB2599 HD1 SD1 with the following amendment:

On page 3, line 20, I recommend water to be **waters** as in both ocean and fresh water.

In 2025, the Legislature adopted House Concurrent Resolution No.128 H. D. 1, reaffirming the State's obligation to uphold the constitutional rights of its people by recognizing the critical role of freshwater in maintaining healthy nearshore marine ecosystems. This was accepted into the Standing Committee report No. 1717.

I also recommend the adoption of a Public Trust Duty/Hierarchy of Use Policy so that the actions that take place from the enactment of HB2599 are supported during decision-making. While DAR focuses on the plan and its execution (i.e., Holomua, etc.), decision-makers need to support that strategy by having decision-making tools that align. An example of this is the Board of Land and Natural Resources Commercial Activity Policy (1998), commonly referred to as the "Hierarchy of Use" Policy. Such a policy should be adopted with appropriate changes that focus on the health and resilience of Hawai'i's public trust biocultural resources.

The use of the term "public trust biocultural resources" is intentional, affirming that Hawai'i's natural resources are not separate from, but inherently connected to, our unique worldview.

Mahalo for this opportunity to testify in support of HB2599 HD1 SD1.

Aloha,

A handwritten signature in black ink, appearing to read 'U'ilani Naipo', with a stylized flourish at the end.

U'ilani Naipo

Policy for Commercial Activities
on State Owned and Managed Lands and Waters
Department of Land and Natural Resources

RECOMMENDATIONS APPROVED ON 1/30/98:

1) The Board accepted the final report of *Findings and Recommendations* from the Department's Commercial Use Task Force, and acknowledged the fine work of the Task Force in establishing the basis for the Department's commercial use policies.

2) The Board adopted the following commercial activity policies and directed the Department to develop appropriate standards and processing mechanisms to implement these policies as needed with the following caveats:

- This should be done in a timely but transparent manner to assure that all affected constituencies are aware and participate where appropriate;
- It should not unreasonably affect outstanding permits, licenses, and existing memoranda of understanding;
- The diversity of resources managed by the Department will require different implementation approaches;
- The current funding constraints will delay some actions needed for full implementation of these policies; and
- All relevant commercial activity proposals brought forward for Board approval will have considered these commercial activity policies.

POLICY # 1:

The Department, when considering commercial activity proposals or management actions on state owned lands and waters, will use the following hierarchy of priorities:

- a. The Natural or Cultural Resource - The highest priority should go to the conservation of the resource. Only if an activity can be done in a way that does not **unduly damage** the resource, should it be allowed.
- b. The General Public - If use or activity by the public can be done without undue damage to the resource, it should be the next priority.
- c. Commercial Activities - Commercial activities should be considered only if their impacts do not impinge on the resource, #a above, or use by the general public, #b, above.

If public and commercial activities are occurring, and resource impacts indicate that restrictions or controls need to be imposed, these should first be levied on commercial operators. The general public is the last group to have restrictions and controls imposed on them.

POLICY # 2:

The principles of *Limits of Acceptable Change* should be used to monitor and manage intensities of use.

POLICY #3:

Any new permits for commercial activity should have explicit conditions to allow DLNR ability to change levels or terminate certain activities based upon stated limits of acceptable change. This will insure that managing agencies have timely opportunities to remedy any problems that occur as a result of that permit.

POLICY #4:

The ***Managing Agency*** has the lead responsibility to coordinate an applicant's activity application. The Managing Agency is responsible to inform other appropriate agencies and solicit comments much in the way present CDUA applications are handled by the Lands Division. Any environmental documentation (e.g. environmental impact statements and/or assessments) needed to process any commercial activity will be the responsibility of the applicant.

POLICY #5:

The ***Managing Agency*** can issue activity permits for routine activities and not for profit organizations without Board approval. Memoranda of understanding can be established for not for profit organizations to cover a range of activities. Very significant activities and/or those requesting multiple years should go to the Board for approval.

POLICY #6:

Reasonable fees for commercial users should be assessed based either on a percentage of gross revenues, per user, or expected impacts of their activity. While any group conducting an activity should be encouraged to also perform work that improves the resource, or mitigates their presence, there should be no guaranteed waiver of all fees for service of this kind. Not for profit groups that charge fees only to cover administrative costs can be exempted from fees.

POLICY #7:

The Department will compile a list of eligible sites for commercial activity. The list will also note the intensity of commercial activity that will be permitted. The list will be periodically reviewed and updated.

Definitions:

Activity - A pursuit that does not involve the changing or alteration of land or water areas, or existing structures on those land or water areas. In general, activities are those things that take place on the resources in a passive way, do not involve any resource extraction, or do not require the imposition of change on the resource.

Commercial Activity - The collection by a party or their agent of any fee, charge, or other compensation shall make the activity commercial except when such fee, charge, or other compensation is for the sale of literature allowed under Chapter 13-7-7, HAR. Nonprofit status of any group or organization under Internal Revenue or Postal Laws or regulations does not in itself determine whether an event or activity arranged or managed by such a group or organization is noncommercial. Not for profit groups that charge only a nominal fee for administrative costs that utilize a public facility or resource at a frequency and/or magnitude that does not significantly contribute to the degradation of the facility and/or resource will be considered non-commercial.

Ecotourism - Travel to Hawaii's natural, cultural and historic attractions to experience and study Hawaii's unique environment, heritage and culture in a manner which is ecologically responsible and sustainable, and sustains the wellbeing of local communities.

Limits of Acceptable Change - A concept of assessing impacts to the resource. Under this concept, descriptors are established indicating what level of change or impact is tolerable, or what level it takes to trigger some kind of remedial action. If a resource is unduly impacted, restrictions are imposed, regardless of the number of users.

Managing Agency - The Managing Agency is that lead Division or office that has jurisdictional responsibility for the area being considered for an activity. If a proposed activity takes place on more than one jurisdiction, the division or office having the greatest area of resource will be considered as the Managing Agency.

Undue Damage or Impact - Includes excessive damage, or those impacts which cannot be economically remedied, given a managing agency's resources.

Use - If a proposed action will involve a change or construction, this is considered a use.

Aloha Chair Dela Cruz and members of WAM,

As a professional marine biologist who has studied Hawai'i's coral reefs and their demise since the 1970s, I strongly support HB2599 HD1 SD1, which clarifies that the primary kuleana of the Division of Aquatic Resources (DAR) is ecosystem protection.

This bill is necessary to help the DAR fully transition from a 20th century agency of fishermen serving only fishermen to a 21st century agency serving all people of Hawai'i. By far, most fishermen are ethical and fish pono, yet there are bad apples in every demographic who deny science and seek only short-term gain at the expense of everyone's future. The legacy of this 20th century perspective is that degraded reefs around O'ahu and some other regions no longer have the abundance and diversity of herbivorous fishes necessary to remove the seaweeds that smother corals (the seaweeds being fertilized by fertilizer run-off and seeping sewage, which must also be addressed in the long run). The many co-sponsors of HB2599 HD1 SD1 and the support of this bill by DAR is telling. My point is that the broader scientific community also supports this new realistic perspective.

I am particularly heartened by recent amendments that clarify the meaning of "best available science" to include "peer review." The scientific method is not complete until studies are vetted independently by other unassociated scientists. I believe it's important to emphasize that scientists are notoriously critical of each other, so a scientific paper that has passed scrutiny and been published in a peer-reviewed journal provides the most rigorous knowledge possible for informing natural resource management. Examples are the superb reviews of thousands of scientific surveys of reefs in every moku of the main Hawaiian Islands, which clearly documented that O'ahu is by far the most depleted island in terms of both coastal food fishes in general (Friedlander et al. 2018 *Aquatic Conserv: Mar. Freshw. Ecosyst.* 28(1): 146-157) and the critically important herbivorous food fishes that keep dead reef surfaces clean so corals can thrive (Donovan et al. 2023 *Proc. R. Soc. B* 290: 20232101).

I urge you to pass HB2599 HD1 SD1 and encourage its passage into law.

Mahalo,



Mark Hixon
Honolulu, HI

HB-2599-SD-1

Submitted on: 3/31/2026 9:21:57 AM

Testimony for WAM on 4/1/2026 10:03:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Alohi Nakachi | Individual | Support | Written Testimony Only |

Comments:

Aloha mai,

I am in support of this measure to maintain ecosystem integrity and use the best scientific data available. However while this measure suggests peer-reviewed scientific data, I do support peer reviewed scientific data. Our management agencies should use the best available science including social science and ‘ike Hawai‘i. Peer reviewed data is a good standard to fall back on and one DAR should use as a standard when they do not have adequate processes or measures for effective management. Peer reviewed data is often inclusive of accepted contemporary ecological and social science data and standards. However, peer reviewed and contemporar science also have historic and continued harms of excluding and not being Inclusive of Indigenous Knowledge and Values. As such I hope this bill can make space for DLNR/our management agencies to use the best available science including peer-reviewed scientific data and ‘ike Hawai‘i. If we include ‘ike Hawai‘i this will help to be more inclusive of all Knowledge systems in Hawai‘i and the best available holistic data and knowledge. This process of including the best available science including peer-reviewed scientific data and ‘ike Hawai‘i should also reaffirm and adopt a Public Trust Duty/Hierarchy of Use from the enactment of this measure.

Mahalo nui,

‘Alohi Nakachi, PhD

TESTIMONY IN STRONG SUPPORT OF HOUSE BILL 2599 HD1 SD1

Measure Title: RELATING TO AQUATIC PROTECTION

Aloha Chair Dela Cruz and members of WAM,

Over the past 40 years, I have spent thousands of hours underwater from South Point to Kure Atoll working to identify and address major issues in fisheries and marine conservation throughout Hawai'i and the broader Pacific region. I recently retired as Chief Scientist for the National Geographic Society's Pristine Seas program and am currently an affiliate researcher at the Hawai'i Institute of Marine Biology. Having conducted research on marine ecosystems from the poles to the tropics and to depths of thousands of feet, I have a unique perspective on the importance of the health of these ecosystems to people and nature and the human-induced and environmental impacts to these vital ecosystems.

I am writing in strong support of HOUSE BILL 2599 HD1 SD1, which would require the Division of Aquatic Resources to manage the aquatic life and aquatic resources of the State, giving the highest priority to protecting, restoring, and maintaining ecosystem integrity.

The ocean provides so much to the people of Hawai'i, such as food security, recreation, and cultural identity, but the health of Hawai'i's marine environment is at a critical juncture. Peer-reviewed studies authored by myself and others have shown a severe decline in fish populations across Hawai'i, some dangerously low, imperiling our coral reefs statewide and the services they provide. I have worked on nearshore fisheries and coral reefs in Hawai'i and across the global for over 4 decades and have documented significant declines in fish stocks, particularly in populated islands such as O'ahu. Many locations have passed the tipping point but there is still hope for Hawai'i. This legislation is a critical step in helping to protect, restore, and maintain the health of Hawai'i's marine environments, which means so much to so many.

A handwritten signature in cursive script that reads "Alan Friedlander". The signature is written in dark ink on a light-colored, slightly textured background.

Mahalo, Alan Friedlander, Ph.D.

LATE

HB-2599-SD-1

Submitted on: 3/31/2026 10:14:36 AM

Testimony for WAM on 4/1/2026 10:03:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Vivian S. Toellner | Individual | Support | Written Testimony Only |

Comments:

It floors me that we have to ask DAR to protect Hawai'i. What is their function in the first place? Some where management has gone wrong... they would have nothing to manage if they do not protect and would be out of a job. Unfortunately, greed seems to be what guides their decisions. Which will be very evident in the up coming Public Hearing for Proposed Aquarium Fishery Rules. That is being held in Kona this very week, Wednesday April 1st .

Where EVERYONE know there is no ' GOLD COAST ' meaning the YELLOW TANG ARE SO PLENTIFUL IT LOOKS LIKE THE REEF IS COVERED IN GOLD !!!