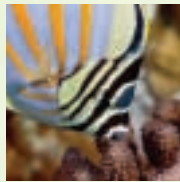


Environmental Legislative Network

The **Environmental Legislative Network** is an informal working group of Hawai'i-based organizations and others actively involved in environmental policy. The ELN provides a forum for citizens, organizations, government agencies, elected officials, and their staff to discuss pressing issues affecting our land, water, natural resources, culture, quality of life, and economy.



ELN High-Priority Issues for the 2010 State Legislative Session

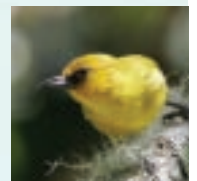
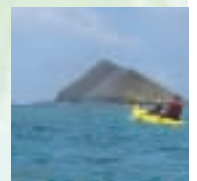
ENERGY & SUSTAINABILITY

- Require scientific-based shoreline setbacks in order to prepare for sea level rise
- Impose a smart fee on fossil fuels to support local food and energy security programs
- Enforce inspection fees to keep invasive species out of Hawai'i



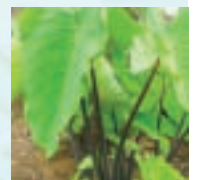
LAND, WATER, & NATURAL RESOURCES

- Protect conveyance tax funding for land, natural resources, and affordable housing
- Defend water rights and the State Water Code
- Support sustainable fisheries; oppose so-called "right-to-fish" bills
- Increase penalty for intentionally killing or harming an endangered Hawaiian monk seal



OTHER ISSUES

- Strengthen Hawai'i's environmental review law – HRS Chapter 343
- Increase public access to public lands and waters
- Ban or impose a fee on single-use disposable plastic bags



ENERGY & SUSTAINABILITY

- **Require scientific-based shoreline setbacks in order to prepare for sea level rise**

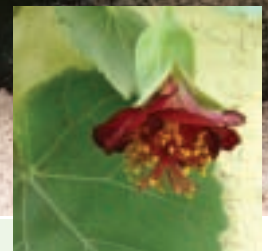
We need to protect Hawai'i's coastlines from climate change and erosion by starting a "managed retreat" from the coastline. Given the reality of sea level rise caused by global climate change and the accompanying loss of shoreline-protecting coral reefs, we support a long-term strategy to protect private property, taxpayers, and the public shoreline. We need to prevent inappropriate construction in inappropriate locations. Dwellings and buildings built too close to the shore simply lead to demands for beach-destroying seawalls that eliminate the public's right to use and enjoy the beach.

- **Impose a smart fee on fossil fuels to support local food and energy security programs**

We support establishing a smart tax-shifting policy to finance Hawai'i's energy and food security by tapping into the source of our problem – over reliance on fossil fuels – to fund our preferred future. This policy would help "internalize" the external costs of certain activities; in this case, charge a fee for products that are damaging to the environment and use that money to help mitigate the damage. This would provide benefits to the State in far greater excess to the additional cost.

- **Enforce inspection fees to keep invasive species out of Hawai'i**

Invasive insects, diseases, snakes, weeds, and other pests are one of the greatest threats to Hawai'i's economy, natural environment, and the health and lifestyle of its people. Inspection fees at Hawai'i's airports and seaports provide a reliable source of revenue to achieve the goal of enhanced pest prevention systems. Reasonable service fees are currently assessed by the Department of Agriculture, but some entities are not complying. We support appropriate enforcement authority by establishing penalties for non-payment of inspection fees.



LAND, WATER, & NATURAL RESOURCES

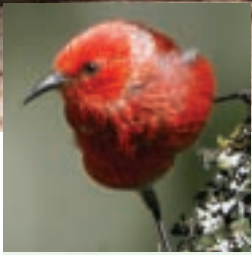
- **Protect conveyance tax funding for land, natural resources, and affordable housing**

The conveyance tax supports the Natural Area Reserve Fund, Land Conservation Fund, and Rental Housing Trust Fund. These programs benefit Hawai'i's people by protecting watersheds, open space, public access, and providing affordable housing. To help balance the State budget in 2009, the Legislature reduced the percentage of the Conveyance Tax that goes into the Natural Area Reserve Fund and the Rental Housing Trust Fund. This was in addition to the 50% reduction in these funds due to the depressed real estate market. We oppose reductions to any of the conveyance tax funds and these important programs.

- **Defend water rights and the State Water Code**

Our freshwater resources — groundwater, streams, springs, lakes, marshes, and muliwai — support the people, the culture, and the economy. The Hawai'i Constitution mandates that water is a public trust resource, incorporating ancient Hawaiian principles of sharing and stewardship. Special interests wish to weaken these principles, to help private companies hoard public water resources. This is unjust. We oppose attacks on water rights, including but not limited to the State Water Code.





OTHER ISSUES

- **Strengthen Hawai'i's environmental review law – HRS Chapter 343**

HRS Chapter 343 has helped protect environmental and cultural resources by requiring analysis of impacts prior to development. We support improvements to Chapter 343 that enhance its core purposes of informed decision-making and public participation. This includes specifying a shelf life for environmental review documents such as environmental impact statements to ensure the analysis remains relevant and up-to-date. We oppose changes that would dilute the scope and rigor of environmental review or remove environmentally damaging projects from its scope.

- **Increase public access to public lands and waters**

Public access to public lands and waters is a right that is increasingly hindered by private landowners and companies. Barriers (such as locked gates, threatening signs, dogs, security guards, and parking bans) prevent public access to the beaches, ocean, streams, trails, and mauka lands for recreational, cultural, and subsistence purposes. In addition to strengthening public access laws and regulations, increased enforcement and educational programs for the public, government agencies, and elected officials are needed to ensure adequate public access to public lands and waters.

- **Ban or impose a fee on single-use disposable plastic bags**

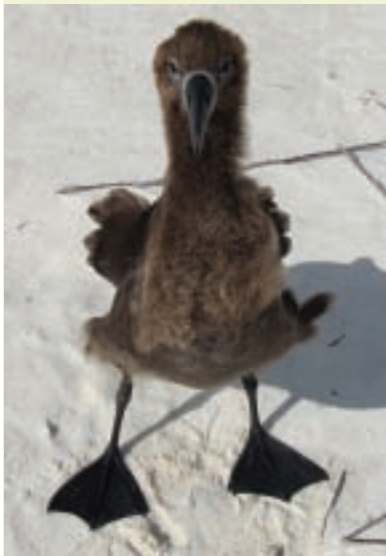
Single-use plastics (SUPs) are petroleum-based products that pose a major threat to the environment, littering our ocean, filling our landfills, and killing wildlife. SUPs are the number one source of marine debris, leading to the deaths of millions of seabirds and hundreds of thousands of marine mammals and reptiles each year due to ingestion and entanglement, including endangered Hawaiian monk seals and threatened and endangered sea turtles. SUPs absorb dangerous toxins and are eaten by fish, which creates a human health hazard as well. Americans go through more than 100 billion plastic bags each year, yet less than 5% are ever recycled. We support the use of reusable tote bags and a ban on (or fee for) single-use plastic bags across the state.

- **Support sustainable fisheries; oppose so-called "right-to-fish" bills**

We support sustainability in Hawai'i's fisheries. That means opposing so-called "right to fish" bills that make science-based management impossible. Further, in accordance with the Hawai'i Constitution and Act 85 of 1999, when resource allocation tensions arise: cultural, consumptive, recreational, and sport fishermen should have priority over commercial harvesters and particularly destructive gear types.

- **Increase penalty for intentionally killing or harming an endangered Hawaiian monk seal**

We are outraged and deeply saddened that three Hawaiian monk seals have been shot and killed in the past year. Currently, under state law, it is only a misdemeanor to intentionally or knowingly kill or harm a Hawaiian monk seal. Increasing the penalty from a misdemeanor to a felony will serve as a deterrent for future monk seal killings. The Hawaiian monk seal is the most critically endangered endemic marine mammal in America. Only 1,100 remain on earth.



The following organizations participated in the ELN Round Table and identified over 25 environmental issues and concerns for the 2010 state legislative session, including the high-priority issues described in this brochure.



Conservation Council for Hawai'i



Progressive Democrats of Hawai'i



Hawai'i Audubon Society



Save Our Seal



Hawai'i's Thousand Friends



Sierra Club, Hawai'i Chapter



KAHEA: The Hawaiian-Environmental Alliance



Surfrider Foundation, Hawai'i Chapters



Life of the Land



The Snorkel Bob Foundation



Marine Conservation Biology Institute



Windward Ahupua'a Alliance

Photo credits: Bob Borns, Peoples Advocacy for Trails Hawai'i; Hi'ipaka LLC; Jack Jeffrey, Jack Jeffrey Photography; John Johnson, One Breath Photography; MA'O Organic Farms; Victoria Martocci; Snorkel Bob, Himself (Robert Wintner); Forest and Kim Starr; Evan Tector; Jolie Wanger; Nathan Yuen, HawaiianForest.Com

