

Honolulu, Hawaii

APR 22 2015

RE: GOV. MSG. NOS. 818,
819, 839

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Water and Land, to which was referred Governor's Message Nos. 818, 819, and 839, submitting for study and consideration the nominations of:

LEGACY LAND CONSERVATION COMMISSION

G.M. No. 818 MARJORIE ZIEGLER,
for a term to expire 6-30-2017;

G.M. No. 819 THORNE ABBOTT,
for a term to expire 6-30-2019; and

G.M. No. 839 THERESA MENARD,
for a term to expire 6-30-2017,

begs leave to report as follows:

Your Committee has reviewed the personal histories, resumes, and statements submitted by the nominees and finds Marjorie Ziegler, Thorne Abbott, and Theresa Menard to possess the requisite qualifications to be nominated to the Legacy Land Conservation Commission.

MARJORIE ZIEGLER

Your Committee received testimony in support of Marjorie Ziegler from the Department of Land and Natural Resources, Ko'olaupoko Hawaiian Civic Club, Humane Society of the United States, Koolau Foundation, The Nature Conservancy of Hawai'i, The Trust for Public Land, Surfrider Foundation, and twenty-four



individuals. Your Committee received testimony in opposition from the Hawaii Hunting Association and one individual.

Marjorie Ziegler received a Bachelor of Arts degree in Geography with Highest Honors from the University of Hawaii at Manoa. She has been the Executive Director of the Conservation Council for Hawai'i since 2003. Ms. Ziegler was a Program Associate with KAHEA: The Hawaiian Environmental Alliance, where she implemented the public lands biodiversity initiative, including education and community outreach. The nominee has been a member of various commissions, task forces, and working groups, including the State Environmental Council, Honolulu Clean Water and Natural Lands Commission, Natural Area Reserves System Commercial Use Task Force, Natural Areas Working Group, Natural Areas Reserves System Funding Task Force, Protect Our Water, Stream Protection and Management Task Force, Sustainable Tourism Working Group, Intoxicant Working Group, and Road Side Spraying Task Force.

Your Committee finds that testimony in opposition to this nominee is largely from a particular special interest group and fails to sway your Committee's support for the nominee and belief in her qualifications. Specifically, the comment in general opposition stated, "This individual has been a consistent and partisan voice against resource management here in Hawaii. All lands in Hawaii belong to the people as a whole, not a strictly defined special interest to which this applicant advocates too routinely and without consultation", with no further elaboration. Your Committee finds no evidence that the nominee has at any time advocated against resource management or worked on resource issues without consultation. Indeed, the nominee noted working in the past with one of the individuals who submitted testimony in opposition. However, your Committee notes that the nominee has denied this characterization and, in fact, was surprised by the comment.

In Ms. Ziegler's written answers to the questionnaire, she responded, "I wish to serve on the Legacy Land Conservation Commission because I believe in the critical importance of land conservation on these islands given our limited land and resources in the face of ongoing land development."



THORNE ABBOTT

Your Committee received testimony in support of Thorne Abbott from the Department of Land and Natural Resources, Maui Nui Marine Resource Council, Maui Nui Marine Resource Center, Hawaiian Islands Land Trust, The Nature Conservancy of Hawaii, Planning Consultants Hawaii LLC, Hawaii Audubon Society, and fourteen individuals.

Thorne Abbott is an experienced coastal manager and environmental planner. Based on his vast experience, he has served as a shoreline and coastal resources expert and has helped develop cross-jurisdictional, multi-sector approaches to solving complex coastal and environmental problems. He is active in the coastal community and presently serves on the Hawaiian Islands Humpback Whale National Marine Sanctuary Advisory Committee, and Hawaii Audubon Society Board of Directors, and is a current member of the Legacy Land Conservation Commission.

In Mr. Abbott's written answers to the questionnaire, he responded, "I recognize the critical role the Commission plays in evaluating properties for acquisition or conservation easement. Our recommendations to the Board of Land and Natural Resources to fund projects for long-term protection of unique lands is an important fiduciary responsibility given public funds are used. We must be prudent in our recommendations and sound in our evaluations, incorporating for example, the potential impact that climate change, sea level rise, or coastal erosion may have on the land or property's long term viability to support its intended purpose. The Legacy Land Conservation program offers a very successful, unique mechanism to protect our limited land and conserve publicly valued resources on our island home."

THERESA MENARD

Your Committee received testimony in support of Theresa Menard from the Department of Land and Natural Resources, Conservation Council for Hawaii, The Nature Conservancy of Hawai'i, and nineteen individuals.

Theresa Menard received a Master of Science in Zoology, with specialization in Ecology, Evolution and Conservation Biology, from the University of Hawaii at Manoa and a Bachelor of Science in Biology from the University of California, San Diego. She was with The Nature Conservancy from 2002 to 2014, serving at various



times as Geographic Information Systems Specialist, Conservation Planner, and Landscape Conservation Coordinator.

In Ms. Menard's written answers to the questionnaire, she responded, "I want to continue to serve the people of Hawai'i by using the skills and talents I have developed as a conservation professional in order to make sure the State's money is spent wisely. In particular, what I offer the [Legacy Land Conservation Commission] is my ability to use different geospatial datasets (e.g. tax map keys, zoning, native ecosystem coverage, etc.) to evaluate different parcels of land for the commission's desired criteria. Working at The Nature Conservancy, I am experienced in ranking and prioritizing different sites across Hawai'i to assist in conservation efforts."

As affirmed by the records of votes of the members of your Committee on Water and Land that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Respectfully submitted on
behalf of the members of the
Committee on Water and Land,



LAUKA H. THIELEN, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Water and Land
WTL
Advise and Consent

Governor's Message No.:* GM 818	Committee Referral: WTL	Date: 04.13.15		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is:				
<input checked="" type="checkbox"/> Advise and Consent 2340 <input type="checkbox"/> Not Advise and Consent 2345				
Members	Aye	Aye (WR)	Nay	Excused
THIELEN, Laura H. (C)	✓			
GALUTERIA, Brickwood (VC)	✓			
IHARA, Jr., Les	✓			
RIVIERE, Gil	✓			
RUDERMAN, Russell E.	✓			
SHIMABUKURO, Maile S.L.	✓			
SLOM, Sam	✓			
TOTAL	7			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one Governor's Message per Record of Votes

The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Water and Land
WTL
Advise and Consent

Governor's Message No.:* GM 819	Committee Referral: WTL	Date: 04.13.15		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is:				
<input checked="" type="checkbox"/> Advise and Consent 2340 <input type="checkbox"/> Not Advise and Consent 2345				
Members	Aye	Aye (WR)	Nay	Excused
THIELEN, Laura H. (C)	✓			
GALUTERIA, Brickwood (VC)	✓			
IHARA, Jr., Les	✓			
RIVIERE, Gil	✓			
RUDERMAN, Russell E.	✓			
SHIMABUKURO, Maile S.L.	✓			
SLOM, Sam	✓			
TOTAL	7			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
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Record of Votes
Committee on Water and Land
WTL
Advise and Consent

Governor's Message No.:* GM 039	Committee Referral: WTL	Date: 04.13.15		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is:				
<input checked="" type="checkbox"/> Advise and Consent 2340	<input type="checkbox"/> Not Advise and Consent 2345			
Members	Aye	Aye (WR)	Nay	Excused
THIELEN, Laura H. (C)	✓			
GALUTERIA, Brickwood (VC)	✓			
IHARA, Jr., Les	✓			
RIVIERE, Gil	✓			
RUDERMAN, Russell E.	✓			
SHIMABUKURO, Maile S.L.	✓			
SLOM, Sam	✓			
TOTAL	7			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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