

STAND. COM. REP. NO. 640 -06

Honolulu, Hawaii

March 2, 2006

RE: H.B. No. 1930
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Water, Land, & Ocean Resources, to which
was referred H.B. No. 1930 entitled:

"A BILL FOR AN ACT RELATING TO FISHING,"

begs leave to report as follows:

The purpose of this bill is to promote and preserve the
ahupuaa of Haena in Kauai as a subsistence fishery resource for
inhabitants of the ahupuaa by designating as the Haena Community-
based Subsistence Fishing Area (Haena Fishing Area), all state
waters that are contiguous to the ahupuaa.

The Office of Hawaiian Affairs, The Nature Conservancy,
Hanalei Watershed Hui, Association of Hawaiian Civic Clubs, Hawaii
Reserves, Inc., Native Hawaiian Legal Corporation, Limahuli Garden
and Preserve of the National Tropical Botanical Garden, and
several concerned individuals testified in support of this bill.
The Department of Land and Natural Resources (DLNR), Community
Conservation Network, and Pacific Islands Resource Management
Institute supported this measure with amendments. The Ocean
Tourism Coalition, Hawaii Nearshore Fishermen, Captain Andy's
Sailing, Inc., Kayak Kauai, Kauai Sea Tours, Outfitters Kauai,
Lahaina Divers, Frogman Charters, Maui-Molokai Sea Cruises, Aqua
Lung Pacific, Maui Dive Shop, Holoholo Charters, Inc., Na Pali
Kayak, and several concerned individuals opposed this measure.

HB1930 HD1 HSCR WLO HMS 2006-2300



Your Committee considered setting the following boundaries for the Haena Fishing Area:

- (1) Western boundary: The same as the boundary between Haena State Park and Na Pali State Park;
- (2) Eastern boundary: The boundary between Haena and Wainiha as specified in the tax map key of the county of Kauai; and
- (3) Seaward boundary: One mile from shore following the contours of the coast line.


However, after discussion, your Committee decided to leave the fixing of the boundary to an inclusive community process. To further promote the inclusive process, your Committee has amended this bill by:

- (1) Providing for the regulation, rather than the prohibition, of certain enumerated activities in the bill, such as commercial purposes and activities that require commercial marine licenses;
- (2) Requiring DLNR, in adopting regulations, to consult with all interested parties of the ahupuaa in addition to the inhabitants;
- (3) Authorizing DLNR to determine an appropriate location of the Haena Fishing Area, after consultation with the inhabitants and interested parties of the ahupuaa; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1930, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1930, H.D. 1, and be placed on the calendar for Third Reading.



Respectfully submitted on
behalf of the members of the
Committee on Water, Land, &
Ocean Resources,


EZRA R. KANOHO, Chair



